

179A. *Mr. Macdonald.*] You heard by Mrs. Simeon's evidence that she intended opening that track at once?—Yes; I take the statement for what it is worth.

180. Do you think it was in the interest of the Government to purchase the other land if Mrs. Simeon's land had not been purchased?—If the latter could not have been purchased it could have been taken under the Public Works Act. I have my own idea of the value of the land.

Mr. Macdonald: There is the risk you have to run.

181. *Mr. Baker.*] It certainly appears to me without Mrs. Simeon's land the short range is perfectly useless?—You will be taking expert evidence, and I think any Volunteer officer will say that Section 4 is not required. That is my opinion.

182. An angle of 10° covered the whole road: a very slight variation at the point of firing would cover the whole road?—Are you allowing for the trajectory of the ball?

183. But a man pointing his rifle 10° off the line of sight would cover the whole road?—Which degrees do you mean? Degrees as used in rifle-shooting?

184. Certainly not—the sight-measurer, the direction in which the rifle was held?—A man would have to be a very bad shot to fire up on that hill.

185. To fire, certainly; but how about the rifle going off accidentally?

Mr. Macdonald: Possibly Mr. Kirk would not like to be on the road at the time.

Mr. Kirk: I certainly admit at that point, behind the small range, there is some little danger from ricochets, and it would be expedient to buy part of Section 5. There is a matter I should like to refer back to, and it is one which the Commission are directed to inquire into, and that is, as to whether the litigation which took place between the Native owners in any way affected the title to the lands already purchased. I think my explanation of that is satisfactory.

186. *Mr. Macdonald.*] Do I not understand you to say now, Mr. Kirk, that, because the disputes which arose between these two Natives are now settled, everything is happy?—But the Minister of Defence was evidently not satisfied, or he would not have put the question in the Commission. There is one other question which you have not asked me upon, and I feel very sore about it—I refer to section 11 in the Commission; I do not know who drafted it; it is not in any of the evidence yet produced; and I should like to know what justification there is for such a suggestion.

187. What clause—11?—Yes. The suggestion is that we broke faith with the Government, and tried to sell to other people at a large advance. Such a thing is beyond contempt. It is absolutely false in every respect. It is the only thing we have felt very much about this Commission. There is no evidence brought forward in the matter.

Mr. Macdonald: It is purely a question for the Commissioners to decide after hearing the evidence, if any is given with regard to it.

Mr. Kirk: I challenge any one to prove whether we have acted in such a manner. If any member of the Commission thinks we acted in that manner I would like to hear it.

Mr. Macdonald: It is a curious clause.

188. *Mr. Baker.*] Have you acquired any other land from the Natives since you commenced to purchase this land which was wanted for a rifle-range?—Certainly not in the vicinity of the rifle-range.

189. *Mr. Macdonald.*] The clause cannot possibly refer to you in any way?—It could not have been intended to refer to any one else, and it should never have been put in the Commission if no proof were intended to be brought forward.

Mr. Kirk: Any other question?

The Chairman: No.

Mr. Kirk: I wish to verify my first statement, as regards the valuation of the land. I said the value was £100 per acre. The value, according to the property-tax valuation, was £3,600 for 36 acres at the time the contract was made.

Mr. E. T. ATKINSON examined.

190. *The Chairman.*] Mr. Atkinson, would you mind answering a few questions?—So long as the reservations made by Mr. Kirk are allowed me.

191. What I want to ask you is this: We have it in evidence that you were the first person who interviewed the Minister on this subject: is that so?—Yes.

192. Can you tell us what date that was?—No; we have no record. I should say about three months before the first letter. It might have been two, or it might have been four. We have no record in the office to verify it. I then went up to Captain Humfrey. With reference to Sections 1 and 3, they are partly included in the Government lease. My object was to get the lease taken from them, so as to sell.

193. In that interview, did you state any price to the Minister at which you thought the land could be acquired?—No.

194. Nor was the question raised as to whether you would act as agent at all?—There was a discussion as to whether it would be possible to acquire the land for the Government, but only in general terms. Colonel Humfrey was surprised when I mentioned that some of the land had already been sold, and said the Government wanted to acquire this land.

195. What we specially want to get from you is what occurred between you and the Minister?—I do not remember definitely what was said; I told him what I had told Captain Humfrey, and then, after a short discussion, the matter dropped.

196. Do you remember whether any suggestion was made that you should act as agents, or that the Government should purchase from you as principals?—If any suggestion was made it was only made in general terms. It was only after the third or fourth letter that we considered our position complete. We would not take any steps until our position was defined. No reference was made to any capacity, nor did I tell him we were the owners, except in general terms, and as to