

151. Did you ever write or speak to any member of the Ministry about the exchange?—No, I never opened my mouth.

152. No member of the Ministry had any cognisance whatever?—Absolutely none. All my communications were strictly official—with Mr. Kensington.

153. *Mr. Remington.*] In reference to the letter that is seen from the Town Clerk on page 4 of the printed paper, at the bottom, written to the Commissioner of Crown Lands, he says "I am instructed to make an application for the purchase of this land by the Council"?—Yes.

154. That was dated the 5th September?—Yes.

155. Was it known to the City Council or the Mayor that you were the owner?—I do not know. I should think it was very probable that the City Council knew all about it.

156. Would the Town Clerk in writing an official letter state that he was instructed to make an application for the purchase of this land by the Council? That was an official letter and the Town Clerk is using these words "for the purchase of this land by the Council"?—Yes, they had to purchase it in order to arrange the exchange. I suppose they had formally to purchase it.

157. The official letter states that it was to be purchased by the Council at the sum of £653?—Yes.

158. At that date did His Worship know that you were the purchaser and not the Council?—I do not know, I am sure, what he knew. You see, I had not the advantage nor had the Mayor the advantage of having all this correspondence as it is now right in front of us. What the Mayor wanted and all he asked me about was the city improvement. He was worrying me about the city improvement.

159. It may appear a very personal question, but I would wish to know: at that date, the 5th September, 1907, was His Worship the Mayor, as a member of the firm of Brandon, Hislop, and Johnston, aware of the fact that this mortgage was being arranged?—It was arranged between myself and Mr. Joseph Joseph personally.

160. Before that date?—Yes.

161. So that at that date it would be perfectly well known to yourself and Mr. Hislop—in connection with that mortgage—that the statement that it was to be purchased by the Council was not correct—that it was not to be so purchased?—I do not know. All I know is that the negotiations with regard to a large advance—to putting up a 20,000-pound building—were made by myself and Mr. Joseph.

162. And that included in the area the site to be acquired by the Council?—Yes.

163. You had already made that arrangement anticipating that you were going to get that section?—That is so.

164. If you turn again to page 4 you will see in the Under-Secretary's letter where he says "Messrs. Macdonald, Wilson, and Co., on behalf of the Wellington City Council": did you ever give him to understand that it was not on behalf of the City Council, but of yourself you were acting?—No, no.

165. You concealed that?—I did not conceal anything.

166. You either told him or you did not?—I never told him.

167. And indirectly you led him to believe it?—Unconsciously he must have believed it because they wanted the thing done and they came to me as owner of the freehold to assist them in getting it.

168. In connection with the 47 perches you say you gave to the city, was that 47 in your own freehold title? It was not part of Woodward Street then?—Never, it was part of the freehold title.

169. You are absolutely certain?—Absolutely certain.

170. Even if the Mayor said it was doubtful?—I do not care what he said. My lawyers have told me. I gave them the title and that is the beginning and end of it.

*Mr. Hislop:* I did not say that that was not in the title.

*Mr. Remington:* I understood you to say you were in doubt about that part.

*Mr. Hislop:* I had no doubt but that the thing was in the title. But the question was whether it was possible for the Corporation by acquiring the title to do it—that is, 13. We did not go into that, and we have never set up a claim to it.

171. *Mr. Remington* (to witness).] Do you consider, when you review the whole circumstances, that you disclosed the whole position to the Under-Secretary when you were speaking to him and writing to him?—Yes, it never struck me that there was any doubt in his mind.

172. That he fully understood you were doing it for yourself as a benefit to the City Council?—No, he understood the Council were anxious to make this improvement, and that I was anxious to help them, and I wrote the position clearly and distinctly in the letter which followed the interview.

173. Was it ever discussed in the City Council office that the City Engineer, the Mayor, or any other body thought four or five perches were to be taken from your corner section?—Not that I am aware of; I know nothing about what took place there only that their main object was to get as large an amount of money as they could towards the erection of the wall. They were not regarding my interests in any sense or shape. They wanted to carry out a city improvement, and if they could get an extra £100 or £200 out of me they did not consider me in any sense or shape.

174. When you wrote on the 2nd May that four or five perches should be absorbed, you wrote as owner of the section—seised of all the circumstances and believing that the City Council intended to take four or five perches?—I did absolutely.

175. Is the value of the section greater by reason of the improvements?—As a matter of common-sense, I should say that that is so. You cannot make an improvement which converts a steep roadway into a good macadamised low-level road without improving the adjoining property—making it easy of moving up or down.