

43. As a matter of fact, did the letter of the Town Clerk ever come before the Land Board?—I cannot tell you. My answer to that naturally would be that if you look on page 8 you will see that the Commissioner did take the matter before the Land Board, and a resolution was passed.

44. What date is that?—It is on page 8—an extract from the minutes of the meeting of the Land Board.

45. That is T. K. Macdonald's, not the letter from the City Council?—I say that I presume it by this entry.

46. Would you state, Mr. Kensington, that the land was legally granted to the Corporation—that the Corporation ever had a title to it?—I consider that it was legally disposed of—that is the better term to use.

47. In your letter to Messrs. Macdonald, Wilson, and Co. of the 23rd May, 1907, you inform them that you have again written to the Commissioner of Crown Lands, instructing him that the matter is urgent, and that a reply must be forthcoming at once: can you tell the Committee why you hurried the matter?

*The Chairman:* I think he answered that in his evidence—that the Mayor had applied to him to get on with the work; that he wanted it very quickly.

*Witness:* I gave it in my evidence that the Mayor said he hoped there would be no delay, because there was so much delay in Government Departments generally.

48. *Mr. Fisher.*] There is a telegram here to Mr. Strauchon at Auckland—that is June, 1908—can you tell us what you wired to Mr. Strauchon?—Yes, I had already discussed the matter when Mr. Strauchon was in Wellington, as to his bringing it before the Land Board. I said, "The Land Board must pass the resolution," and I wired and asked him if he could tell me where the entry could be found in their minute-book, giving the resolution of his bringing it before the Land Board. His answer was that Mr. Wright would be able to find it for me.

49. Why did you wire asking where the entry could be found, when on the previous day it had been found?—I had not been advised, and I thought that that was the quickest way to get the information.

50. I suppose it is no use asking you what took place at the Board meeting?—No, I do not know. I could not possibly tell you. I do not know anything about it.

51. You remember the Mayor distinctly stating to you, in reference to the land, that we ought not to be made to pay heavily for it?—Yes, words to that effect.

52. And that they did not want to go to auction?—Yes. "Is there any clause," he asked me, "under which it may be dealt with without going to auction?"

53. Are you quite positive that on the 29th April, 1907, in discussing the question with you, the Mayor referred to land of equal area?—He said it was not quite so large, but the impression conveyed to my mind was that it was four or five perches that was going to be given by them in exchange—that ours was a slightly larger area.

54. That would be for Mr. Strauchon?—Yes.

55. So that the statement by the Mayor that he only discovered Mr. Macdonald was under an erroneous impression after the receipt of the letter from the Government is peculiar, is it not?—It is very easy for a person in a conversation of that kind to forget what occurred. It was a very general conversation at first, but any one might forget.

56. I do not mind the exact word, but he seemed to think they were about the same?—He seemed to know that the one they were to get was less. In conversation he said, "between four and five perches," and ours is 6 perches. That is why I sent for the tracing, and the Record Clerk brought me the area of our own section.

57. Will you look at the plan forwarded by Macdonald, Wilson, and Co.; there is some handwriting on it. Whose, can you tell me?—I cannot possibly tell you.

58. Did that handwriting convey to the officials of the Department, or Mr. Kensington, that the new wall for the street to be built for the Corporation was to be built along the front of the Crown land?—It was no concern of ours whatever. We did not take any notice of it.

59. And you did not know whether it was or not?—No, I could not possibly say.

60. *Mr. W. Fraser.*] I understood Mr. Kensington to say, in reply to a question put to him, that, if he had known that Mr. Kennedy Macdonald owned the adjoining section, it would have affected his recommendation to the Minister?—I said probably it would. Probably I should not have recommended it, because he was a member of the Legislature. I gave that in my evidence just now.

61. When did you know of it? On the 4th September did it in any way affect your view of the transaction?—No, because the transaction, as far as we were concerned, was completed.

62. I wanted to know why, after you became aware of it, no steps were taken?—Because I did not see that it was a matter that affected the Government in any way.

63. What did not affect the Government?—The area did not affect the Government.

64. It was not the area that I was referring to, but the ownership?—It did not affect the Crown in any way. The transaction had been agreed to; the sale had been completed to the City Council; and, instead of our conveying to them, and they to somebody else, I could not see, if they wanted it conveyed direct, that it would make the slightest difference. The Government were paid the money.

65. I do not quite see the relation between the two points?—In the first case the transaction had not been begun. In this case the transaction was completed; the Cabinet had agreed to the sale; and the cheque had to be paid over. The whole transaction was completed, as far as the Department was concerned. It did not matter a bit to the Department whether the title was made out to Mr. Kennedy Macdonald. That matter was closed.

66. If the matter had not been closed, what then?—See, you are asking probabilities.