

67. I want to know, would your attitude with regard to the transaction have been different if at any time prior to the 4th September the knowledge had come to you—

*The Chairman:* That is only a matter of opinion. All that is of no value to us.

68. *The Hon. Mr. McNab:* Do you not mean, instead of the 4th September, the date of the Cabinet meeting?

*Mr. W. Fraser:* He only knew it on the 4th September—well, prior to the Cabinet meeting.

*Witness:* I do not think these questions fair. You are asking what might my opinion have been under certain circumstances. How can you expect me to answer what my action would have been when these circumstances have not arisen?

69. *Mr. W. Fraser.]* But you have already told us?—What I told you was, that at the first, when the Mayor and Mr. Macdonald came to me, had I known that Mr. Macdonald was the man to whom the land was to be transferred I should probably not have made the recommendation. That is all I said, and I do not think it is fair to ask me to explain what might have occurred under certain circumstances that have not arisen.

70. That is not what I asked you?—I am only too glad to answer questions, but it is not fair to ask me what would have occurred in certain circumstances that have not arisen. Will you put your question clearer, and I will endeavour to answer it?

71. If this had come to your knowledge at any time prior to the completion of the transaction, would it have weighed with you still?—No; I said it would not. I had had an interview with the Mayor, and I had agreed to recommend certain things; and, once that recommendation went, I should not have altered it. It is not the habit of the Lands Department to go back from what they say. If I ascertained afterwards certain other things, once I had promised him, I would recommend it.

72. Then your answer is, that had the fact that Mr. Macdonald owned the adjoining section come to your knowledge, and prior to the Cabinet deciding, it would not have altered your recommendation?—I simply said that I did not think so. How could I possibly say?

73. *Mr. Hislop.]* Will you kindly tell me how often I have been in your office altogether?—I think the very first time that I had the honour and pleasure of seeing you there was when you came with Mr. Macdonald into my room.

74. You are quite sure of that?—That I am almost ready to swear.

75. Do you remember my introducing myself to you in regard to a matter of Mr. Crawford's?—I fancy that was a long time before this.

76. Crawford's matter was long before this?—I remember your coming about Crawford's matter by yourself.

77. That was long before this?—I think so, but without looking it up I could not be certain of the date. I only remember the fact that you did come.

78. Do you not remember that when I came about Crawford's matter I introduced myself, and spoke to you for the first time in my life?—That I cannot remember. It is an unfair advantage to ask me a question of that time.

79. I am not asking the time: I am asking the circumstances, which is a different thing. I am asking, was it not the first time that I introduced myself to you, and the first time that I spoke to you?—I cannot say.

80. Your recollection is that I had met you with regard to Crawford before I met you with regard to this matter?—I said I thought so.

81. This is a very important matter. However, you say that you cannot say whether it was before or after?—I cannot say.

82. Can you tell me how often I have been in your office altogether?—I cannot. I should think, three or four times; three times, I think.

83. Have I been more than three times?—I cannot remember. I do not recollect that you were.

84. Have I not been in your office about Crawford's business three times?—I cannot remember. I only remember the one occasion you spoke about, but you may have been more. I do not see what this has to do with the case. I am asked here to give evidence before a Committee of the House as to a certain transaction. The evidence I brought, and that I stated, is how this matter originated in regard to Woodward Street. All matters outside that have nothing at all to do with it, and should not have been brought in. When I say that Mr. Macdonald and the Mayor waited on me on a certain date, either they did, or I have sworn falsely; and that I am not going to do as to what occurred. The Under-Secretary for Lands, during his duties, sees hundreds of people, some of them over and over again. Unless there happened to be special circumstances, as in this case, I should not have been able to have brought this to my recollection.

85. In your memo. to the Minister you did not mention anything about any application by the Mayor himself?—No; I sent the letter up that I had received. This was a memo. accompanying the letter. The letter was signed by Kennedy Macdonald and Co., on behalf of the City Council.

86. You did not refer to the letter in the memo.?—No; it is not the custom to do so. The letter goes to the Minister, and the memo. accompanies it.

87. But you do refer to the plan?—Yes, and draw attention to it.

88. May I have a look at the original plan?—[Plan produced, and file accompanying it.]

89. I want to see the form in which the memo. went to the Minister?—This memo. went to the Minister, with the letter of Kennedy Macdonald and Co., and the plan appended to it.

90. You said, in reply to Mr. Fraser, "If I had noticed in the first instance that it was 4 perch instead of 4 perches it would only have made this difference: that I would have pointed it out to the Minister: but it would not have made any difference in the carrying-out of the transaction"?—Yes, I think I said that as to the disposal of the land.