

55. That is your conclusion?—Yes, it is.

*Hon. Mr. McNab*: I was asked if I could get for Mr. Hislop information as to whether the section was sold to Mrs. Williams. Mr. Kensington tells me the section has not been sold to Mrs. Williams. It has been dealt with under section 29 of the Reserves and other Lands Disposal and Public Bodies Empowering Act of last year. The reference to the portion of the statement quoted by Mr. Hislop has reference to a recommendation of the Commissioner of Crown Lands (Mr. Strauchon) to the Head Office that, because Mrs. Williams's dwellinghouse went over the section, she should be allowed to buy it at the upset price. But it has not been sold: it has been dealt with under the section I referred to just now, which says, "Whereas upon the surrender of its charter by the New Zealand Company its lands reverted to and became vested in the Crown as part of the domain lands of the Crown, subject to any contracts then subsisting in regard to any of the said lands: And whereas the lands described in the Tenth Schedule hereto were formerly vested in the said Company: Be it therefore enacted as follows: The lands described in the Tenth Schedule hereto are hereby declared to be Crown lands available for sale or disposal under 'The Land Act, 1892': Provided that if within a period of six months after the passing of this Act a claim is made to any section of land described in the said schedule, and the Commissioner of Crown Lands for the Wellington Land District after due inquiry certifies that the claimant has produced satisfactory evidence to establish an equitable title thereto, and recommends that a grant to the said land should issue in his favour, and upon the further recommendation of the Minister of Lands, the Governor may execute a warrant for the issue of a Land Transfer certificate of title for the said land in favour of such claimant upon such terms and conditions as he thinks fit." It is being dealt with under that section.

*Mr. W. Fraser*: And she has got the land under that section?

*Hon. Mr. McNab*: No, it is not disposed of. She has not got the land.

*Mr. Hislop*: Does she claim that she has an equitable title by previous possession?

*Hon. Mr. McNab*: No; this does not give her an equitable title.

*Mr. Hislop*: Does she claim that a particular section has become hers by virtue of occupation?

*Hon. Mr. McNab*: She could not, because it is declared to be Crown land.

*Mr. Hislop*: Pardon me. There is the term "public land," but there is provision that if a person makes out an equitable claim you may give the person such land. Does she claim to come under that proviso?

*Hon. Mr. McNab*: I did not ask that question. What Mr. Kensington said to me was that it was being dealt with under this section. Where does that give her a title to the land?

*Mr. Hislop*: She might have said when she was offered that section, "It is mine already."

*Hon. Mr. McNab*: Well, I do not know.

*Mr. Hislop*: Then the Act comes in and says it is Crown land unless she makes out an equitable claim, which would be a claim under occupation?

*Hon. Mr. McNab*: You mean a claim under this proviso? I could not say so.

FRIDAY, 7TH AUGUST, 1908.

THOMAS WILLIAM HISLOP examined on oath. (No. 8.)

*Witness*: I am Mayor of Wellington. I should like to say, first, that when I saw the statement in the newspaper that I had seen the Under-Secretary for Lands on this subject, I tried to rake up my memory, and I had no hesitation in coming to the conclusion that I had not seen him. That is to say, not only that, but the attitude which I had taken up with regard to the transaction from the commencement was contrary to such a condition. Since, I must say, I was very much disturbed by what Mr. Kensington has said, and I have since puzzled my mind with a view of ascertaining whether there was a possibility of my being mistaken. But not only does my memory bear out what I originally thought, but the circumstances, which are very definitely planted in my mind, are definitely opposed to it. I should like to have found my memory at fault, because it is a very disagreeable thing not to agree in one's recollection with a gentleman whom I scarcely know, but who, I have no doubt, is held in high respect. And I can only suppose that the difference in recollection arises from some confusion of certain matters. I saw Mr. Kensington for the first time in my life to speak to either at the end of October or early in November of last year. That was the first time I spoke to him. He has stated that I was three times in his office, and that is absolutely correct. I was only three times there, and my visits on those occasions were about a different matter, and I have a definite recollection that when I went to the office I had not been to the Under-Secretary for Lands' office for, I suppose, fifteen years. I have not been there since Mr. Barron was Under-Secretary, and I do not think I was while he was there. I was there when he was head of the Land Purchase Board, I think; but I do not think I have been in the Under-Secretary's Office since Mr. Elliot was Under-Secretary, and when I went into the building I had to ask where his office was. I went up to it by the direction given me, and I had a recollection that the Under-Secretary's room was furthest in the one of the bays of the part occupied by the Lands people. I was going past Mr. Kensington's room when I asked the messenger which was the Under-Secretary's office, and if he was in. He told me that the Under-Secretary was busily engaged, but that he would see. The messenger opened the door, went in, and came out almost immediately, and said Mr. Kensington would be disengaged in a moment. I went in and had a conversation with regard to a matter of H. D. Crawford's. I did not go there as Mayor; I am one of the trustees of the estate. My object was to see if the Lands Department would agree to release a certain piece of ground, comprising about 8 acres, which was reserved