

2. I admit that "The Municipal Corporations Waterworks Act, 1872," was duly brought into operation in the Borough of Wanganui, as in the third paragraph of the affidavit of William Hogg Watt, filed herein on the nineteenth day of June, one thousand eight hundred and seventy-seven, mentioned.

3. I deny that the land covered with water, and constituting the lake called Virginia Water, in the said affidavit mentioned, was taken for the purpose in the fourth paragraph of the said affidavit of the said William Hogg Watt mentioned.

4. I believe that, on or about the twenty-seventh day of January, one thousand eight hundred and seventy-five, a notice was published in the *New Zealand Gazette*, and also in a newspaper published and current within the Borough of Wanganui, of which the following is a copy:—

"Notice is hereby given that the Council of the Borough of Wanganui has caused plans showing by metes and bounds all lands intended to be taken by the said Council for the purpose of supplying the said borough with water, and the locality from which the supply of water is intended to be derived, and all lands to a reasonable extent intermediate between the place of supply and the places to be supplied, and all lands included within the circuit of such last-mentioned places, together with a book of reference, to be deposited in the office of the Council.

"Dated this twenty-seventh day of January, one thousand eight hundred and seventy-five.

"CHAS. H. BORLASE,

"To Jane Hair, of Wanganui, Widow."

"Solicitor to the Borough of Wanganui.

5. A copy of the said notice was served upon me on or about the said twenty-seventh day of January, one thousand eight hundred and seventy-five.

6. On or about the said twenty-seventh day of January, one thousand eight hundred and seventy-five, a notice was also served upon me, of which the following is a copy:—

"Notice is hereby given that the Council of the Borough of Wanganui require to purchase or take certain lands for the purpose of supplying the said borough with water, and you are hereby required to state the particulars of your estate and interest in the said lands and of the claims made by you in respect thereof. And that the lands so required to be purchased or taken as aforesaid comprise so much of the Sections numbered 16 and 17, in the Wanganui District, on the right bank of the Wanganui River, as is shown by metes and bounds in the plans and referred in the book of reference deposited at the office of the said Council. And that the Council is willing to treat for the purchase thereof and as to the compensation to be made for the damage that may be sustained by reason of the execution of the works.

"CHAS. H. BORLASE,

"Dated this 27th day of January, 1875.

"Solicitor to the Borough of Wanganui.

"To Jane Hair, of Wanganui, Widow."

7. I believe that, on or about the ninth day of February, one thousand eight hundred and seventy-five, my solicitor, Mr. Francis Matthew Betts, of Wanganui, wrote and caused to be delivered to the Solicitor for the Borough of Wanganui a letter, of which the following is a copy:—

"Wanganui, 9th February, 1875.

"DEAR SIR,—

"*Municipal Waterworks.*

"I am instructed by Mrs. Jane Hair to communicate with you in reference to proposed purchase of certain lands, part of country Sections 16 and 17, on the right bank of the Wanganui River. Mrs. Hair is the absolute owner of an estate and fee-simple in possession in the whole of the lands proposed to be purchased or taken, and is desirous of being informed at what time the Council intend to fence off the said land from her adjoining property. I may add that my client takes exception to the plan deposited at the Council Office in accordance with the provisions of section 4 of 'The Municipal Corporations Waterworks Act, 1872,' as insufficient, in that the boundaries of the land are not therein distinguished in such a manner as to show what land is really proposed to be taken. This has particular reference to a swamp shown on part of the north-western boundary line, and to several parts of the eastern boundary line.

"Requesting that this communication may be brought under notice of the Council, and a reply forwarded at your earliest convenience,

"I have, &c.,

"Chas. H. Borlase, Esq.,

"F. M. BETTS.

"Solicitor to the Borough of Wanganui."

8. I believe that, on or about the twentieth day of March, one thousand eight hundred and seventy-five, my said solicitor received from the Solicitor of the Borough of Wanganui a letter, of which the following is a copy:—

"Wanganui, 30th March, 1875.

"DEAR SIR,—

"*Re Waterworks.*

"The plan is now complete, and I understand you waive any right you may have to take advantage of the fact that fresh notices may be technically necessary. I am instructed by the Council to tender Mrs. Hair £500 as compensation for the land taken from her. Probably a formal tender will not be necessary, as in conversation you led me to believe that the above amount would not be accepted.

"I have, &c.,

"F. M. Betts, Esq., Solicitor, Wanganui."

"CHAS. H. BORLASE.

9. I believe that, on the thirtieth day of September, one thousand eight hundred and seventy-five, my said solicitor wrote and caused to be delivered to the said Solicitor for the Borough of Wanganui a letter, of which the following is a copy:—

"Wanganui, 30th September, 1875.

"DEAR SIR,—

"*Municipal Waterworks.*

"I have at length received instructions from Mrs. Jane Hair to forward to you her claim in respect of the land proposed to be taken by the Municipal Council, and for damage to her property arising from the constructions and maintenance of the waterworks.

"Mrs. Hair claims from the Council the sum of £10,000 by way of compensation, and for such damage the Council have offered only the sum of £500. It will, I presume, become necessary to