

775. Can you say when that question was first discussed by the Board?—I am not at all clear as to dates; but you have evidence as to that in Mr. Cochrane's minute-book, the dates stated in which will be correct. It was at some meeting at which Mr. Kissling's letter was read.

776. Do you remember his letter?—Yes; that was the first official communication we had on the matter. But there was outside talk, even before that time, as to the land having been taken a short time previously.

777. Did you, at that meeting of the Board, express your opinion of which you have told us?—Yes: when I heard that a larger portion was to be taken for defence purposes than was at first stated to us, I made rather a fuss about it. Some members of the Board thought me rather warm, for I talked something about the Supreme Court.

778. You mean you were inclined to resist, if it could be done?—Yes.

779. And at the time Mr. Kissling's letter was brought before the Board had you any knowledge from outside sources as to what was going on, or what Mr. Kissling's intentions were about the land?—I had no idea that any portion of the land was to revert to him at all, or that any negotiations were going on between himself and the Government, that any portion was to go to him.

780. Do you remember any letter from Mr. Waymouth to Mr. Kissling being produced?—I think that no such letter was ever produced to the Board.

781. Did you ever see or hear of such a letter outside the Board?—Yes; I think I heard it mentioned at the Board that such a letter had been received with regard to the valuation.

782. You had not seen it yourself?—Well, I cannot say positively that I had not seen it.

783. Did you see it this morning?—In the distance, but it was not in my hand. [Mr. Waymouth's letter to Mr. Kissling was then handed to the witness.]

784. Can you say now if you have seen it before?—Well, I cannot say positively whether I have or not. The impression on my mind is that I have not seen it before, but that I heard from Mr. Cochrane the basis on which the valuation had been made; but whether made by Mr. Waymouth or not I cannot say. And the offer made by the Government is specified here—viz., the value of the rental for forty-eight years, and the present value of the purchase-money, which is taken at £6,000. I considered that a fair valuation.

785. Is there anything in that letter which you think was not known to the members of the Board at the time they discussed the matter?—Well, I did not put the interpretation on it that perhaps some people might. I imagine that when Mr. Waymouth gave this valuation to Mr. Kissling he did not know the position of the Trustees—that they could not sell the land. We are debarred by the terms of our trust from selling it without most cumbrous proceedings to obtain the necessary authority for the purpose. First of all the Diocesan Synod has to give its permission, and then that permission has to be ratified by the General Synod, which meets at intervals of three years, before it can be acted on. Therefore I imagine that is an answer to the question put by Mr. Kissling to Mr. Waymouth, as to what he thought was the value of the land; for the valuation he gave was based on the supposition that we could deal with the land and sell it.

786. Would you understand it to mean simply that Mr. Waymouth considered, if Mr. Kissling could buy that land from the Trustees without in any way infringing the provisions of the trust, that that would be a fair price and a fair offer to make for it?—Yes.

787. And do you recollect what the Board did after that discussion on Mr. Kissling's letter?—There was a letter received subsequently to that, I think, or some time or other.

788. But the Board took some action on Mr. Kissling's letter, did they not? We have got it in evidence that they passed a resolution, and also communicated to Mr. Kissling their wish that the Government should make an estimate of the value of the property?—Then, subsequently to that Mr. Brewer's offer came, and, as Mr. Upton stated this morning, there was a feeling—at all events, that was my feeling—generally in the Board that it was not a time to haggle about a price—that, in fact, the circumstances of the country required this fortification, and that therefore it would be out of place for us to make a hard-and-fast bargain about the price to be paid. We considered the price offered a fair one, and that it was no use debating the matter one way or the other for a few pounds. We were also under the impression clearly and distinctly that the Government could, under the Public Works Act, take the land.

789. You had no idea it was intended to reconvey to Mr. Kissling?—None whatever; not the slightest idea.

790. Do you think any members of the Board had any such idea?—I do not think so. I think if they had had it would have been mentioned at the Board and discussed, and I think it would most decidedly have been rejected.

791. And you were unaware at that time that if the Government took an excess of land the law required them to hand back the surplus to the landowners?—I was not aware of that.

792. Had the Board any knowledge that a special Bill was being put through Parliament to empower this conveyance to Mrs. Kissling?—I was perfectly astonished when, after the close of the session, I found it at the end of the volume of parliamentary statutes which I received.

793. *Mr. Heslith.*] That is, until you saw it in the Special Powers and Contracts Act in the bound volume of the statutes?—Yes.

794. Had you not learnt of it from the newspaper reports or from *Hansard*?—I had heard of it just before, but it was almost simultaneously with my receiving the parliamentary statutes.

795. Then, I understand you to say that the Board had no notice of it?—None whatever.

796. Do you agree with Mr. Upton generally about the adequacy of the money-compensation?—I do; I do not agree with Mr. Dacre, however.

797. As to the probable value?—As to the probable value. I may as well explain why. I remember a similar case in Brisbane two years ago. I went to a gentleman's house there which was situated almost exactly like Mr. Kissling's—that is, on a point bounded by the river: but underneath him at the present moment there are a quantity of coal-trucks, a large engine-shed, and a