

reference to this matter?—It was said in the Public Works Office in Wellington that I would have to settle the claim when I came to Auckland. The first direct instruction I received was from Mr. Ballance, Defence Minister.

898. You were not sent to Auckland for the purpose?—No; I was changed from the Wanganui and Wellington District to Auckland when Mr. Macfarlane died.

899. When did you come to Auckland?—I think it was in 1885, but I cannot remember what time of the year. I think it was about September, 1885. I dare say I could tell if I had the books to refer to, but having left the letter-book in the department I cannot state the exact date.

900. Did you come from Wanganui or from Wellington?—From Wellington, although Wanganui was my place of abode; but I was at the Head Office for some time going into different matters.

901. At the time of your leaving Wellington for Auckland you had not received any instructions in relation to this matter?—No direct instructions. I was simply informed it was one of the cases I should have to go into.

902. Who informed you of that?—The Under-Secretary and others connected with the department. We were going into a number of claims in the Auckland District, and this was mentioned as one of them.

903. After your arrival in Auckland did you do anything in connection with this matter—spontaneously or not—until you received some definite instructions?—Not until I received some definite instructions from Mr. Ballance, because I was very busy when I came up here.

904. Can you say in what form those instructions were received?—They were verbal instructions given to me at the “Star” hotel, as far as I can remember.

905. Mr. Ballance was in Auckland?—Yes.

906. Did you see Mr. Mackay at all about this matter?—No, not that I remember. I may have had a conversation with him about it after he came to Auckland.

907. Was he not in Auckland when you came?—No. I may have had some conversations with him in Wellington. Very likely I had. We used to talk together about claims.

908. He had left Auckland when you came?—He returned to Wellington after coming up to attend that injunction case. In fact, I may say the Government wished me to come up on that occasion instead of Mr. Mackay, but I was too busy with compensation cases in other places, and could not go.

909. At the time of your leaving Wellington, or at any time before you began to personally intervene in this matter, had you been informed of what Mr. Mackay had done, or had any papers been put into your hands showing what he had done or recommended?—I was simply informed that he had gone to Auckland to be present at the Supreme Court, and that a Bill had to be passed through the House, and that he had just arrived at the Supreme Court on the morning the Bill passed. I do not know whether he had any conversation or interviews with Kissling.

910. You were unaware of any specific recommendations he might have made with regard to this matter?—Quite unaware, as far as I know. I heard a little talk in the office that it was rather an awkward case to settle, but it was in general conversation.

911. No file of papers in the Public Works Office relating to the matter was put in your hands for your information before you left?—I am not quite certain about that. It is possible a file might have been, because I was requested to look into all matters requiring settlement in the Auckland District. It is possible the Point Resolution papers may have been amongst those files. I could not say for certain. There were a great many cases—some three or four hundred—in the Auckland District at that time unsettled.

912. But you do not remember among such papers if you did see any particular communication from Mackay to the Under-Secretary for Public Works?—No; all that I remember about the case is—if I did read any of those papers—that there had been a good deal of trouble with Kissling on account of his having obtained an injunction of the Supreme Court, and that Mackay had been sent up to try and settle the difficulty in some way.

913. Had you heard of any recommendation made by Mackay that the whole of the land should be taken by Proclamation?—I do not think so; I do not remember it. I may have had, but I do not remember.

914. After your interview with Mr. Ballance what did you do?—I went up to see Kissling, and to inspect the property.

915. Was Mr. Kissling present?—Yes; he showed me over the property.

916. What was the result of your interviews and your inspection of the property?—We had a general talk over the thing, and I said I would go into the matter and see what we could do in it, and see if we could come to some terms of agreement. That was all, I think, that transpired on that particular day.

917. What course did you next take after that?—I reported to Mr. Ballance that I had seen the property, and that I thought it was rather an awkward case, and that the Government would most likely have to pay a considerable amount in compensation. I told him that I would do my best to settle matters, and I also told him what steps I would take. I asked him if there were any particular steps he would wish taken, and he said simply to take what steps I thought necessary for the interests of the Government.

918. You suggested to him by telegram that you should be allowed to do the best you could for the Government?—Yes.

919. And he approved of that?—Yes.

920. Thereupon what did you do?—The Minister was going away next day, and I went to see him before he left. I was busily employed at the Waikato and elsewhere, and I think it was some time before I saw Kissling again. I had a great many interviews with Kissling. Many official and other letters passed between us, and it was a long time before we could come to any settlement.