

WEDNESDAY, 13TH AUGUST, 1890.

ALEXANDER FRANCIS KENNEDY sworn and examined.

508. *The Chairman.*] You were an applicant at a late land-sale for Section 1, Block XIV., Woodville?—Yes, I was, amongst a large number of others.

509. How did you come to apply?—Well, Mr. Duncan (of Messrs. Ellison and Duncan), who was also an applicant, told me about it: that it was a good section, and worth more money than was put on it.

510. You made application then?—I did.

511. Did you not think it was somewhat strange that Messrs. Ellison and Duncan should advise you to compete with them?—Not at all. Mr. Ellison had nothing to do with it.

512. He was an applicant?—I knew nothing of that at the time. Mr. Duncan is a friend of mine, and mentioned the thing to me, that it was worth while applying.

513. There are three Duncans: Elizabeth, John, and James Duncan. What was stated in connection with it?—First of all, that it was a good section. I have a plan of the land; it was the section nearest the road-line, at 15s. per acre, and I was advised that it was a good limestone hill, and was likely to be worth a good deal more than that.

514. Did it not strike you as at all strange to put in an application against Ellison and Duncan, or that they should advise you to put in an application when they had already seven applications in?—No; I may say that I am very intimately acquainted with Mr. Duncan.

515. You would increase their chances?—Not at all. They were advised there were a great many applicants, and they thought mine might be put in; and Mr. Baker put it in.

516. You were required to make the necessary declaration that you were applying for it directly for your own use and benefit, and not for the use and benefit of any body else?—Yes.

517. Have you made any application subsequently for sections?—Yes.

518. Have you been successful?—Yes.

519. Was anything said to you by anybody asking you to take this up, and promising to take it from you if you were successful?—Well, it was stated at the time that a purchaser could be found for it.

520. Do you know who that purchaser was?—No.

521. Did you apply for this as a speculation, or with the intention of occupying it?—I only got information the day before that it was going on, and I had not made up my mind about anything, as to what I should do; but I was quite prepared to go on with it.

522. If you had been a successful applicant would you have gone on to the land?—I should have taken more advice on the subject.

523. Can you say that you only applied for it for your own use and benefit, and for the use and benefit of no one else? Do not I understand you to say that you were applying for it as a speculation?—It was actually so.

524. Who paid the deposit for you, Mr. Kennedy?—Messrs. Baker and Tabuteau.

525. And you did not converse with them with regard to this matter?—No.

526. Did they make any suggestions as to providing the means for satisfying the improvements if you were successful?—No; I could have done the improvements.

527. *Mr. Cowan.*] Were you aware that certain obligations were attached to this section, supposing you had been successful?—Yes.

528. In the way of improvements?—Yes. They were not of a very serious nature; they did not require a very heavy amount to do them.

529. Were you told how much?—Yes.

530. By whom?—Mr. Duncan.

531. Were you in a financial position to meet those obligations?—Yes.

532. *Mr. Smith.*] When you applied for this section were you aware, through your agents, Messrs. Baker and Tabuteau, that Mr. Baker himself was also applying?—I was not. I had not seen them at all in the matter.

533. You simply put it into their hands?—I applied through them. Mr. Duncan said, "I am going to put in my application, and I will get them to do yours at the same time." I saw Mr. Tabuteau when he came down to the Spit with other applications, and I went across to Ellison and Duncan's; I think it was there that I signed the application.

534. Whom did you sign it before, a Justice of the Peace, I suppose?—I do not remember whom it was signed before.

535. Did you sign it and leave it to Duncan to fix up afterwards?—I do not remember now. If the name of the Justice of the Peace was recalled to me I might remember.

536. Are you sure there was a Justice of the Peace present?—I believe so; but I would not like to swear to it.

537. It is only a short time ago?—This was in last November.

538. Was there anybody else signing applications at the same time?—I am really not very clear as to whether I went to town or signed it at the Spit. I know Mr. Tabuteau came to the Spit, but I cannot really remember where I signed it.

539. Can you remember if you read it over when you signed it, before whoever witnessed it?—I cannot remember who witnessed it.

540. You say you heard a rumour that some person was willing to give a bonus to anybody that was successful in securing the section?—Yes.

541. Did you learn the amount that was likely to be given?—I think it was £100.

542. Suppose you had been a successful applicant, and you had been offered £100, or some sum like that, would you have been prepared to transfer your interest?—I would not without further inquiry.