

REPORT.

To His Excellency Sir James Prendergast, Knight, Chief Justice, the Administrator of
the Government of the Colony of New Zealand.

SIR,—

1. Although the Commission with which your Excellency has honoured us is dated the 12th day of April last, it was not placed in our hands until the 4th day of the present month. Since then we have met every day, and have taken evidence in the presence of a number of the parties interested in the result of the inquiry and the representatives of the Press. We have visited and thoroughly examined the ground at Polhill Gully, and the long rifle-range at Evans Bay; have inspected maps, papers, and correspondence; and have now the honour to report upon the greater part of the thirty-eight points referred to us with reference to “all the circumstances connected with the proposal to purchase, and the negotiations incident to the purchase of, a certain block of land situate in or adjacent to the City of Wellington, known as the Polhill Gully rifle-range.”

2. We have nothing definite to report in answer to the first question that appears in our instructions, as to “the names of the parties who made the proposal to the Government to purchase the said rifle-range, and the date of such proposal,” as the whole business as it comes before us evidently originated in unrecorded conversations, of which, after the lapse of two years, no very clear account can be gathered.

3. From the evidence which accompanies the report it will be seen that about three months before the 25th day of July, 1890, Mr. Atkinson, of the firm of Messrs. Kirk and Atkinson, solicitors, of the City of Wellington, called on Captain Humfrey, then Under-Secretary for Defence, with reference to the Government giving up a small portion of their original lease, and also had a conversation with him on the subject of purchasing the Polhill Gully rifle-range. After this conversation Mr. Atkinson was conducted by the Under-Secretary to Captain Russell, then Minister of Defence, with whom the subject was also discussed, but nothing definite appears to have resulted from that interview. Some two or three months later Mr. Kirk, his partner, called upon the Under-Secretary for Defence, with the result that, on the 25th day of July, Messrs. Kirk and Atkinson received from the Defence Department a letter proposing to treat with them as agents for the purchase, and informing them that the Government was prepared to give for the block required, estimated to contain some 44 acres, a sum not exceeding £3,000.

4. From the evidence of Mr. Kirk and Captain Humfrey, it appears that after the receipt of this letter several unrecorded conversations took place between these two gentlemen, with the result that twenty-six days after that letter had been written Messrs. Kirk and Atkinson forwarded a letter to the Under-Secretary for Defence proposing to sell to the Government 37 acres of the required land for the sum of £3,000, or so much of the 37 acres as might be purchased without any great difficulty; and, whether the purchase of the required block was completed or not, it was ultimately stipulated that Messrs. Kirk and Atkinson should be paid for all that was purchased at the rate of £81 per acre.

5. At this somewhat late stage Mr. Mackay, the Native Land Commissioner, appears to have been consulted as to the value of the land. Mr. Mackay assented to the value which the Government, through Captain Humfrey, had proposed in the latter's first letter to Messrs. Kirk and Atkinson. Mr. Mackay's valuation was, however, apparently based upon the Property-tax valuation of the land made in 1888, but evidently without any knowledge of the price at which the land could be purchased from the Native owners. The Solicitor-General was also consulted as to the agreement with Messrs. Kirk and Atkinson, and proposed several amendments, which amendments Messrs. Kirk and Atkinson accepted.

6. No expert evidence was taken or sought for “as to the suitability of the site for Volunteer purposes” prior to these engagements, as Captain Humfrey informs your Commissioners that, as a military man, he is himself an expert, and therefore thought it unnecessary to seek outside advice on that subject.

7. We find no “good and sufficient reasons why the land was not taken under the Public Works Act.” We cannot understand why, when consulted by the Defence Department, the opinion of the Solicitor-General, that “it would have been preferable for the Government itself to have taken the land under the Public Works Act,” was not acted upon even at that stage of the negotiations.