

36. Are you aware that as late as the 20th August, 1891, Captain Russell knew nothing at all of the fact that Messrs. Kirk and Atkinson were the vendors? Look at *Hansard*. Read this, Captain Humfrey: "Mr. Seddon: Where was the vote for it? No vote. From whom was it bought? From Kirk and Atkinson, solicitors, Wellington. They were the vendors.—Captain Russell: You know they were not.—Mr. Seddon said he was stating the facts.—Captain Russell: Shame!—Mr. Seddon said there was no shame in the truth.—Mr. Speaker said the honourable member was not at liberty to interject the word 'Shame.'—Captain Russell said the honourable gentleman must know that Kirk and Atkinson were not the vendors. . . .—Mr. Seddon said the honourable gentleman was under the lash. He had applied it vigorously himself, and he should take punishment when it came to him. He might say that he had made inquiries from the Acting Under-Secretary for Defence no later than that morning, and he was assured that the Kirk and Atkinson who were the vendors of the land were Kirk and Atkinson, solicitors, Wellington."—Well, I do not know about that; my impression is that the last two letters received from Mr. Kirk were submitted to Captain Russell, but, if such was the case, it is quite possible he did not grasp the change from agent to vendor, and, as regards that change, I take the whole responsibility. I thought I was making a good bargain for the Government.

37. You seem to contradict yourself there, Captain Humfrey, as regards taking responsibility?—The Minister approved of expenditure of the sum of £3,000, and I considered that I was perfectly justified in settling all details, and that, as long as the sum of £3,000 was not exceeded, I was at liberty to do what I considered was right and in the interest of the Government; and in carrying out that arrangement I took that stand, and would do the same thing if Under-Secretary to-morrow.

38. What seems singular is that Messrs. Kirk and Atkinson were first treated with as agents, and in that capacity ascertained the maximum price Government would give, and then changed their position to vendors?—Well, as far as that goes, it was on condition that the £3,000 was not to be exceeded, and I did not attach any importance to the change after I had consulted the late Mr. Thomas Mackay, and been backed up by his opinion.

39. £3,000 was originally suggested, I understand, either by you or Kirk and Atkinson, not by the Minister?—Yes, I think by me, after discussion. If you will look through the papers you will find that I did not act on my own responsibility as regards the acceptance of this price.

40. You say so throughout?—The price was referred to Mr. Mackay, the Government expert, and you will find that he distinctly said it was a fair price; and I think I was quite justified in purchasing after obtaining such an opinion from such an acknowledged expert.

41. But you see, Captain Humfrey, you are now going from what you stated from the first?—No, no! you misunderstand me. Acting under my own judgment, I referred the matter to Mr. Mackay, and he said the price was not unreasonable.

42. That I quite understand; but I want to know if you took the responsibility on yourself in the matter?—What responsibility? £3,000 was the amount the land had to be acquired for. It is Mr. Mackay's valuation, and agrees with the property-tax valuation.

43. Have you seen the valuation?—Yes; and I consider that exonerates me, and that I made a good bargain for the Government.

44. That is, you made a bargain on your own account?—After the Minister had agreed to expend £3,000 for a rifle-range at Polhill Gully I managed the details.

45. That is the point. Did you make it on your own responsibility, or were you instructed?—I recommended the expenditure of £3,000, and the Minister agreed to it. Is there no answer to my minute of the 15th September? [Minute read. See Appendix No. 7.] I am very much mistaken if the Minister's approval is not on the papers.

46. You must bear in mind, Captain Humfrey, that we are in a much worse position than we should be, and require your evidence much more than we otherwise should do, because there are no papers which show the change in the position of Messrs. Kirk and Atkinson. There is no correspondence on the subject?—I do not agree with you. Look at Mr. Kirk's letter of the 20th August. [Letter read. See Appendix No. 2.]

47. That is where the difficulty comes in. You refer to difficulties?—That was the subject of conversation. A business like this would not be settled by correspondence.

48. I want to show you that the most important part has not been settled by correspondence—that is, the change of the position of Messrs. Kirk and Atkinson from agents to vendors?—Granted. I take the full responsibility of the change from agent to vendor, and I should act exactly the same to-morrow.

49. You acted, I understand, on your own responsibility?—Yes, but with the assent of Captain Russell for the expenditure of the £3,000.

Captain Humfrey: Well, there is the approval, on the 25th July. There are Captain Russell's initials to the amount, and I take the responsibility of the change from agent to vendor. Messrs. Kirk and Atkinson and myself had a conversation, and the change from agents to vendors was agreed to on the understanding that the price should not exceed £3,000.

50. *The Chairman.* And by the consent of Captain Russell?—I am not prepared to say that; but I say the correspondence was submitted to Captain Russell. As I say, I am not an expert about land. I therefore referred the matter to the late Mr. Mackay, and, when backed up by Mr. Mackay, I thought I was making a very good stroke of business for the Government.

51. *Mr. Macdonald.* There does not appear to be anything on the file from the Officer Commanding the District recommending this purchase?—That has nothing to do with my acquisition of the rifle-range; Colonel Butts reported that it was a suitable range.

52. There does not appear anything on the file recommending this purchase?—The Officer Commanding the District had nothing whatever to do with it. I know the range, and Colonel Butts's reports show that there could not be a better range procured within any suitable distance of Wellington.