

523. There would be no danger to a person walking on the road?—No; unless a man wilfully fired in the air, and did not care where his bullet went. I would never dream of any danger with a butt 60ft. or 70ft. high. It would be ridiculous. Of course, unless a man wilfully pointed his rifle up in the air, then there would be no knowing where the bullet might go. It would be just the same as if he fired out of his garden. There could not possibly be any danger at 300 yards unless a man wilfully did so. And, then, rifle-shooting is supposed to be carried out under strict supervision of officers; and if they did their duty it would be quite impossible for an accident.

524. Has it not happened at times that Volunteers have shot without an officer with them?—If the regulations were properly carried out that would not occur, as shooting without an officer in charge is against the regulations.

525. Who is to blame for the regulations not being carried out?—I should say, perhaps, if he was aware of it, the Officer Commanding the District; but he might not be aware of it; then the responsibility would be on the Volunteer actually shooting, the same as in the case of a person going to shoot in your garden without authority. They might shoot there if there was no rifle-range at all. You will frequently see men shooting hares over that ground.

526. *Mr. Macdonald.*] And you tell us that the short range, in your judgment, without the acquirement of Sections 4 and 5 at the back of the range, is safe. Even with the fact before you that the road may be opened, you still think the range is safe?—Quite safe. I think it is only right it should be known—and, perhaps, no one just happens to think it except myself, as I am interested in it, being the means of paying money for it—this ground, or portion of it, is already acquired by the Government. This is only rumour; I have heard nothing officially. As well as being in charge of Mount Cook Barracks, I am also acting Paymaster, and I am now paying, as Dr. Johnston's agent, and have been ever since 1884, the full amount of the yearly rent for the ground, and am still paying it. I believe, from report, that the Government has already purchased the right to a large portion of this ground. I am paying now £66 2s. a year under the old lease; but I would think, if it were mine, a portion of it should be deducted from Dr. Johnston's payments, and he would not pay the Natives if they have already sold the rights.

527. *Mr. Baker.*] With regard to the redoubtable cow is it not possible it might have been shot while shooting was going on early in the morning?—There was no shooting going on. The range was under repair. Besides, had the cow been shot, it had no business to be there, as it must have been on my land.

R. CLEMENT KIRK re-examined.

528. *The Chairman.*] Since you gave us your evidence upon the last occasion, Mr. Kirk, you have been present all the time, and have heard the various points raised in the inquiry, in which you are more or less interested. We now wish to give you an opportunity to refer to them as briefly as you possibly can, conveniently?—The first matter I wanted to refer to was the evidence last given before by the Natives—that is, the statement made by Hapimana that he only received £11 out of the £75. I now produce a receipt showing that £75 in full was paid to Hapimana. It was interpreted by Colonel McDonnell. The cheque was cashed, so that the whole amount might be given in cash. I never like to make deductions from a Native purchase, or to pay money to Natives except by cash. It is therefore my practice to always cash the cheque, so that they may see the money, and are able to understand what they are about. I produce the butt of the cheque. I have also proofs of payment of all the amounts up to £53 paid to us by the Native for sums of money disbursed by us on his account—for duty, costs, &c., as shown by this account. The £27 10s. constituted succession duty, and stamp duty on the transfers from his brother Hami to himself, charged by Government on the transfer of this and other lands. The £6 1s. was interpreter's fee. Four guineas for valuing all the properties on the succession order.

529. *Mr. Baker.*] What was the four guineas for?—It was paid to Mr. O'Donahoo for valuing all the properties at Johnsonville, Ohariu, and Polhill Gully. He had to value all the properties.

530. None of the charges made on that occasion were in connection with the Polhill Gully sections?—Not with the ones sold to the Crown, except, of course, in so far as the transfer from brother to brother was concerned. I now produce Hapimana's account in our ledger, which shows how the £53 was disbursed. I might say that it shows that he still owes us £5 1s., in addition. There is still a lot of work going on through our firm in connection with the estate.

531. What was Mr. O'Donahoo's valuation for the section sold to the Crown?—I think it was £105.

532. *The Chairman.*] Have you a copy of the Commission?—Yes.

533. Will you look at the top of page 2, clause No. 11. You have answered that already—that there is no ground for suspicion that you have sold any of the lands that you purchased for the Government, or offered it at a higher price; but you will understand that, as Commissioners, we know nothing about the drafting of this Commission; we have simply had it placed in our hands, and we do not know how anything was originated. Has there been any transaction which might lead to such a supposition as appears here?—I do not know. I have given it my denial. The only suggestion I can offer to account for it is its having got abroad that we made an offer to the Education Board of part of Section 9 as a site for a school. This land was bought some twelve months before this other transaction was ever thought of. A reservation was made, in case any part of 9 was required for the range. This Section No. 9 was not included in the contract with the Government. We did not want to hamper the Government acquiring part of the land if they so desired afterwards, and therefore we made the necessary reservation in our offer. That is the only transaction I can at all conceive can be mistaken for any action such as suggested in the Commission. The land was purchased before the Government purchase was thought of.

534. *Mr. Baker.*] And, as you have already stated, you have not offered any of the land?—No.

Mr. Kirk: When giving my former evidence I used the word "syndicate," and I think some