

75. And, as the Council never did acquire it, how could the Council use it for an exchange?—If I were you I would go and study law for five years. I am not here to answer questions as to legal matters.

76. Might I ask, did the Mayor dictate the letter written by the Town Clerk on the 5th September?—I did not. On the contrary, I found fault with it when I saw it, because it was not a full statement of the facts, and I wanted a full statement to go before the Department before they acted, and I therefore wrote my letter after hearing the Town Clerk.

77. So that when he states there that the Council wishes to acquire the land for the purpose of making certain exchanges it is an error?—It is not fully explicit: it is not a full statement of the facts; and I would certainly desire to put everything before the Minister before he acted.

78. You informed the Minister, in your letter of the same date, that you wished a variation of the original arrangement?—I did not say anything of the kind.

79. That you wanted the title to issue to Mr. Kennedy Macdonald?—I never said there had been any previous arrangement, except that the Lands Department had offered to sell us the land.

THURSDAY, 20TH AUGUST, 1908.

THOMAS WILLIAM HISLOP further examined on oath. (No. 8.)

1. *Mr. Fisher.*] I would like to ask on what date Mr. Hislop first heard of the letter from Mr. Macdonald to the Government?—I cannot tell you. It was after the matter had been completed.

2. So that Mr. Hislop is quite clear on the point that the application for the land was made by Mr. Macdonald without the knowledge or consent of the Mayor or any member or official of the Council?—Officially, I cannot speak for any other member of the Council. So far as I am concerned, I have already stated several times that I knew nothing of the derelict land until shortly before that letter from Mr. Strauchon, and I did not know that it was Government land until after that letter.

3. That is the letter of the 28th June?—The letter stating that the Government had decided to offer a piece of ground. I am not very clear on the point, but I think Mr. Macdonald in a casual way had said something to me about it shortly before that. However, that is one point I am not very clear at all upon. Would you kindly repeat the question?

4. The question was, Was the letter from Mr. Strauchon of the 28th June the first you heard of the transaction?—It was the first I heard of the land being derelict—of there being any land there belonging to the Government. I have a sort of notion in my mind that Mr. Macdonald on one occasion said that the operation might be facilitated by an offer which might be made of that piece of ground, but I am not at all clear about that. I have no distinct recollection, but there is an impression on my mind that something of that sort was said. I have no recollection of the date, time, or anything; but an impression that something of that sort was said, but quite in a casual way that did not impress me at the time.

5. When you discovered that an application had been made by Mr. Macdonald, who alleged that he was agent for the Council?—? But he does not allege it in the letter.

6. If he does not allege it he certainly conveys the impression?—I do not wish to argue that.

7. I will put the question in another way: When the Mayor gathered for the first time that Cabinet had been induced to grant a piece of Crown land to a local body without any one connected with the local body knowing that it had been applied for, did the Mayor inform the Government of what he had discovered?—I do not admit that your way of putting the question is at all a correct one; but I never informed the Government. I never informed the Government of anything, except what I informed them in my letter of the 5th September, which, to my mind, is perfectly explicit as to the action of the City Council.

8. Did the Mayor ever inform the City Council or the members of the Finance Committee of the Council that Mr. Macdonald had applied for the land, and been granted it on his own initiative?—That, of course, is another question which implies something which is not correct. If the matter came up before the Committee at any time I would inform them of everything that had occurred within my knowledge. It is very difficult to answer questions that have suggestions in them.

*Mr. Fisher:* Now, I propose to put this statement in evidence [producing newspaper extract], not because it is a newspaper report or comment, but because it contains a written statement in connection with the case.

*The Chairman:* By whom?

*Mr. Fisher:* By His Worship the Mayor; and therefore I submit it may be tendered as evidence.

*The Chairman:* I do not think we could take any paper's statement as evidence.

*Mr. Fisher:* It is not a newspaper's statement: it is the Mayor's statement.

*The Chairman:* The paper may not have published what were the Mayor's ideas.

*Mr. Fisher:* But if the Mayor accepts it as correct?

*The Chairman:* That is another story.

*Witness:* Do you want me to read it?

9. *Mr. Fisher.*] I want to know if you adhere to the statements contained in that? [handing witness the following extract from the *Dominion* of Monday, the 3rd August, 1908].