

30. I did not expect that. You say in your letter "but so far as the Council and I are concerned we tried to make it clear by furnishing the plan"—In the first instance a plan was prepared squaring it, and not rounding it as was subsequently done. The plan was prepared showing the cut across the corner of the section.

31. Is that the plan shown on the printed paper?—I believe it is, but I really could not tell at this distance of time. I know there was a plan in the City Engineer's office and I suppose there would be a plan furnished to Mr. Kennedy Macdonald as agent of the Loves. I suppose there would be a plan furnished to him. I do not know whether there was or not, but I have no doubt there would be. This plan which is shown now I suppose was furnished to Mr. Macdonald about the time mentioned, the 29th April. I suppose so. I have no knowledge nor do I know that it was supplied, and I did not know anything about it until I saw it in the Chief Clerk's office this year, two or three months ago, after you brought the matter up in the Council. I have no knowledge of that particular plan: it is only a copy, of course, of the plan which was in the Engineer's office.

32. You remember when I brought the matter up in the Council and suggested the state of existence of the 4-perch plan, did you deny that 4 perches were ever contemplated?—I denied that 4 perches was ever contemplated or marked on any plan issued by the City Engineer's office. You said it was. I said the thing was perfectly impossible. You assured us that that plan showing 4 perches was in the Lands Office. I said it must be a 4 perches. You said not—that it was 4 perches. I went next day to look at it, and that was the first day I saw it, and I found it was 4 perches. I do not, however, think it matters twopence whether it is 4 or 4 perches. The question was, so far as we were concerned, whether the granting of this piece of ground to us fair purchase-money would facilitate the operation; and that was the only thing that would present itself to my mind. Whether it was 4 or 4 perches would be a matter for adjusting with the owner of the land taken if we were passing over the land we were getting from the Government. I look upon 4 and 4 as being of no matter as far as the principle was concerned.

33. It would have made a difference, would it not, if the city had received 4 perches instead of 4?—No, because the city would have had to pay £650 to the Government and besides something for equality of value of exchange. Instead of improving the road, if we had used the 4 perches for the road it would not have made the road better. At all events it would not have improved it very much.

34. So that the proposal contained in Mr. Macdonald's letter would really have been a disadvantage if it had been carried out?—You see, you insist upon putting a different interpretation on Mr. Macdonald's letter from what I put. His letter is perfectly clear—that there was to be an adjustment between the Council and the owner of the property in respect to the exchange; and it did not matter whether it was 4 or 4. In the case of 4 we would have had to pay £650 and something besides and the work would have cost us that amount more. In the case of 4 we paid nothing, which is a distinct advantage.

35. You suggest in this letter that Mr. Macdonald wrote his letter under the impression that he was to give 4 perches. Is not that so?—I do not think I said anything about it.

36. In paragraph 3 you state "Mr. Macdonald misread 4 perches for 4 perches"—That is all I say.

*The Chairman:* I do not think it has much to do with the transaction at all—the quantity.

*Mr. Fisher:* It is a considerable item as far as the city is concerned, because the 4 perches are worth £1,600.

*The Chairman:* You ought to take that matter to the Council to fight out.

*Witness:* The Council never expected 4 perches and would not have known what to do with it if it had got it, because it would have been absolutely useless for the work we contemplated. If you would only take the trouble to view matters as they affect the Council and not politics you would see that if we took the street through the 4 perches we should have had a footpath and road the ascent of which would have been so great as to make it a detriment instead of otherwise; whereas as we go around now we have a decent grade, and it can be utilised for public purposes to better advantage than if we had taken more land and made it steeper.

37. Take paragraph 10 of your letter: "The Government got a fair price for their land and they helped along an arrangement for the benefit of the city. The Government knew from my letter of September 5th that the parcel of land was going at their price to Mr. Macdonald, and that the price was no concern of the Council's"—Yes, that is quite true.

38. Why did you not tell Mr. Kensington that at the time the transaction was approved?—What do you mean?

39. That the land was going to Mr. Macdonald—why was not Mr. Kensington informed?—I have already told you that I never saw Mr. Kensington on the subject.

40. After the receipt of Mr. Strauchon's letter of the 28th June it must have been known that the land was going to Mr. Macdonald?—Our first reply to the June letter was the Town Clerk's reply. That did not set out, as I thought, the transaction, and I wrote my letter of the 5th September to the Minister which I think thoroughly sets out what was contemplated by the Council. If it did not I am very sorry, but I think the thing is perfectly clear. If I had had the slightest suspicion that any statement had been made contrary to the real facts—whether they were material or not—I would have inserted in my letter that which would have corrected it. Instead of saying "a small piece of ground" I would have said "47 perches" or "45" as was thought at that time. But I had no suspicion that there was any matter to cause a false impression with the Government.

41. This part with the 47—can you tell me whether that is shown in two parts?—I have already answered that question.