

proceeded with, and I was asked to prepare the plans. After taking the levels something similar to what is shown here was suggested by me. The piece of land I was desirous of getting was bounded by a straight line.

9. As on this plan [produced]?—Yes.

10. Did you ever hear of the $6\frac{1}{2}$ perches of Crown land?—No, I did not know anything about that land.

11. Have you read a letter from Messrs. Macdonald, Wilson, and Co., addressed to Mr. Kensington, and dated 2nd May of last year?—No.

12. It is stated in that letter that it was necessary that the Council should absorb some four or five perches of the section at the corner of Woodward Street. Was that ever contemplated by you?—No. The piece of land was shown on the plans.

13. The small piece?—Yes.

14. Are you able to tell the Committee whether you ever negotiated or discussed the matter with Mr. Macdonald yourself?—I have an idea that I discussed the matter with Mr. Macdonald, but cannot recollect the times and places. The only distinct recollection I have is that on one occasion Mr. Macdonald called to see me with regard to this section along with Mr. Turnbull, the architect, and he informed me that Mr. Turnbull would deal with the matter on his account. That was just prior, I think, to the work being put in hand.

15. What date would that be?—Somewhere about the date of that plan.

16. The 29th April?—Somewhere about that date. It might have been before or after.

17. Did you discuss the matter with Mr. Macdonald and Mr. Turnbull?—Only with regard to the construction of the wall.

18. The area of the land was not discussed?—Mr. Turnbull suggested that we should make the boundary-line curved instead of straight. I agreed to that because it was immaterial to the Council.

19. Is it possible that Mr. Turnbull could have been under the impression that four or five perches had to be taken off that section?—I do not know. I do not think we considered the area to be taken off. Mr. Turnbull only saw me in connection with the construction of the wall.

20. But you had the plan?—Yes. It was this plan, which had been altered to correspond with the desire of Mr. Turnbull on behalf of Mr. Macdonald.

21. It was a plan showing this curve on the corner?—No; it was drawn originally like that [straight].

22. Do you remember the agreement of the 11th October with the Council?—I remember there was an agreement.

23. Can you explain to the Committee the terms of that agreement?—As far as I can recollect, the agreement was that we were to build a wall on which Mr. Macdonald was to have the right to build, and that wall was estimated to cost £200. I believe Mr. Macdonald agreed to pay one-half of that cost.

24. Can you tell us what the wall did cost ultimately?—From £560 to £580. I cannot make out the exact cost, because other work was being carried on at the same time. But I am inclined to think that the wall cost less than £580. That is the wall which bounds Mr. Macdonald's property.

25. You arranged the contribution to that with Mr. Turnbull?—The arrangement was made by the Council. I came to a decision with Mr. Turnbull, but Mr. Macdonald made an offer of a contribution towards the cost of the wall, which the Council accepted.

26. He agreed to pay £348?—That was the suggestion made, or the decision I came to with Mr. Turnbull.

27. That was agreed upon—but eventually it was £275?—The Council eventually accepted Mr. Macdonald's offer of £275.

28. On the 14th March last you wrote a letter to the Town Clerk stating that a plan would be required by the City Solicitor?—I remember there was a letter—two or three letters—that I wrote in connection with the matter. One, I think, was in connection with the forwarding of plans for use by the City Solicitor.

29. Do you know what the area of the corner plan to be taken over was at that time?—I do not know of any other area but what was originally proposed—4 perch. The alteration of the line did not alter it.

30. Do you know whether Mr. Macdonald ever negotiated with the Loves on behalf of the Council?—I know nothing about that.

31. Can you tell us when you first heard of the Crown land in connection with the matter?—The first I heard was when a communication came from the Government regarding the transfer of the land. It was something about the purchase of the land by the Corporation for the sum of £652.

32. That would be Mr. Strauchon's letter of 28th June?—I do not know whose letter it was; I remember seeing it.

33. That was the first you heard of it?—Yes.

34. Can you tell us how this plan got out of your office?—We have been trying to find that out, and yesterday I came to the conclusion that these plans were forwarded by me to the Town Clerk for the information of the City Solicitor.

35. That plan is dated 29th April?—Yes.

36. And was sent to the Government on 2nd May. At that time you did not know that the Government had land there?—No, and it was not contemplated to build the wall to the extent indicated on the plan by Mr. Macdonald. The wall intended to be built at the time is shown on the plan here.