

37. Mr. Macdonald has stated in evidence that he went to see you, and then discovered that he had been under a wrong impression about the area?—I only remember one interview with Mr. Macdonald—the one in which he came with Mr. Turnbull to see me in my office.

38. Do you know whether Mr. Macdonald was under the impression that he had to give 4 or 5 perches?—I cannot say anything about that. I do remember some conversation which took place between Mr. Hislop and myself which led me to believe that Mr. Macdonald had an idea that the land was of greater area than what we were wanting.

39. And when you discussed the matter with Mr. Turnbull you had a plan before you?—Yes, a plan showing the wall originally intended to be built.

40. But that plan showed the area to be taken?—That plan was prepared showing the wall as originally intended to be built; but Mr. Turnbull suggested that it should be altered to suit Mr. Macdonald; and upon that a report was sent by me to the Council stating that the wall would cost more, and I also communicated with Mr. Macdonald to the same effect; and it was then that he made an offer of £275 as his total contribution towards the cost of the wall.

41. Do you know anything of an agreement having been drafted prior to the end of March of last year in which the whole matter was to be fixed up without any reference to the Crown land at all?—No, I only know of one agreement.

42. You did not have anything to do with the negotiations?—No.

43. And you are absolutely certain that the first you heard of the Crown land in connection with the transaction was when the letter came from the Government asking for the £652?—I am quite certain of that.

44. *Mr. Witty.*] Do you think the city got full value for its money in connection with the Woodward Street improvement?—Yes. The wall, as it has turned out, has cost just about as much as it would have cost had we built a retaining-wall independently of Mr. Macdonald. Supposing we had built a wall merely for the retention of the street, the cost would have been not very different to the cost actually incurred in connection with the wall constructed. The total cost is £560. As previously stated, my books show the expenditure to be £580, but there were certain other works incidental to it which could not have been very well separated. The wall, as intended by us for the retention of the street, was originally estimated to cost £200, but that amount would not have been sufficient. I reckon it would have cost £300 to build a wall sufficient for the purpose of holding up the street, assuming that we had nothing at all to do with Mr. Macdonald.

45. If the city had taken the land compulsorily and then had to build the wall, how much would it have cost?—The question of the cost of the land would enter into consideration.

46. Could you not give us any idea?—I am afraid my idea of the value of the land would not be of very much use to you.

47. Will you show us the original plan of the wall?—[Plan produced.]

48. In your original plan it was semicircular?—No; originally it was triangular.

49. *Hon. Mr. Hislop.*] Did you ever prepare a plan showing the wall straight across?—This was the actual working-drawing, and the old scheme was worked out to this drawing, but it was subsequently improved and was altered on this plan to correspond. It was not considered necessary at that time to keep any records.

50. *Mr. Witty.*] It was practically only your own rough draft plan?—Yes.

51. Did the original take in four or five perches or only 4 perch?—Only 4 perch. It was never contemplated to take any more than was actually required for the work to be done.

52. *Mr. Remington.*] In a letter of the 26th November you say you proposed to make a start on the plan prepared some time ago: is that the plan [plan referred to]?—I think it must have been this plan [original plan produced].

53. In any discussion that took place in the Council, in committee, or with the owner of the property, you never gave the Council or owner of the property to infer that 4 perches were required off that property?—No.

54. You are quite sure?—Perfectly sure. I never had the idea myself nor conveyed it to anybody else.

55. Nothing you have said could convey that idea?—No.

56. Mr. Macdonald has stated that after the matter was fixed up by the City Council the plan revealed the fact that they only required really half a perch?—It was never intended to take any more than what was shown on this plan.

57. Mr. Macdonald in his evidence states, "When the Mayor told me that they did not want any but a few feet of land, the whole position altered. There was no use in my discussing the question. I was quite willing that the City Council should have a present of the small piece of land." It is most extraordinary, if you reveal that on the plan, that Mr. Macdonald should say he did not know of it until the thing was fixed?—I am perfectly sure that we never intended to take more.

58. And it was never understood from you by Mr. Macdonald or his architect that you would take more?—Certainly not.

59. Can you tell me on what date the contract was arranged for?—No. The contract really was the date of the original agreement, but negotiations had taken place previous to that. Nothing was done until the agreement was signed. Then there was a variation of that agreement at the hands of the Council.

60. At the time of the agreement you are perfectly sure he knew there was only 4 perch required?—He may have had a different idea, but I certainly never gave any one an idea that more was required.

61. *Hon. Mr. Hislop.*] You say you remember my telling you that Mr. Macdonald was under a misapprehension as to the amount of land required?—Yes.