

the Government—anything about the Government's side of the business at all. There is no member of the Finance Committee who knew what prompted the Commissioner of Crown Lands to write and offer this piece of Crown land to the City. No one knew anything about it, so far as I could gather. Then I went through the file, and I came to the plan I have shown to the Committee, which was attached to the agreement of the 11th October, 1907. And in that plan it was proposed to cede to the City 45 perches. In that plan attached to your printed paper C.-13 it is 4. The amount actually handed over is 47. These are three different areas, and you will notice the different shape of this as compared with the shape on the plan submitted to the Government. I discovered on looking at these plans that Mr. Macdonald was ceding to the City of Wellington two pieces of land, the portion marked red, being 13 perches, and the portion marked green, 34 perches (see Appendix D). And I propose to call evidence, or to ask the Committee to ascertain for themselves, whether the portion marked red and given by Mr. Macdonald to the city was not already a portion of Woodward Street. There is a strip of land down the side there which was not in his section at all. However, I do not state that. I keep as closely as I can to what the Chairman has stated. I do not want to make any wild statements, but I hope to be able to show the Committee that that is so. Later on, when I had gone as far as I possibly could with this, I decided that I should ask the Minister. I think the first interview was when I met him in the street, and I asked him what the arrangement was, and he said he would not like to say, because it had only passed before him from an administrative point of view, but that, so far as he could remember, the owner of the corner section was to transfer to the city 4 perches of land. Subsequently to that—there had been some public agitation with reference to the matter—the Mayor desired to move that the Woodward Street file be laid on the table of the Council, and when it was laid on the table of the Council I asked if it was not correct that in the arrangement made with the Government by which the Council was to get the title—if it was not in the arrangement that the city, in exchange for making the title over to Mr. Macdonald, was to receive in return as a consideration 4 perches of land, and the Mayor at that time said that such a thing was never contemplated. He said at that meeting of the Council that it was impossible to suppose that Mr. Macdonald was such a philanthropist, not to say idiot, as to offer to give to the Council 4 perches of land on the corner for receiving 6.55 perches a little further up for which he paid the sum of £653. Then, going on with the matter a little further, His Worship went on to state that the money had been paid by the City to the Government—which at that time I knew was incorrect. And so, not having access to the Government papers—because the Minister, having stated about four or five perches, showed me the papers, but subsequently I could not go through them: he said it was better, if there was going to be any inquiry, that no one should have any advantage over any one else. But the Mayor stated then that the 4 perches to be given off the corner section was not contemplated at any time. And that statement, of course, I knew to be, whether intentionally or unintentionally, incorrect. I tried to find out why it was that the letter received from the Government on the 28th June from the Commissioner of Crown Lands was sent straight to Mr. Macdonald—because, of course, it would not appear to be a usual thing in a local body to send a letter from a public official to the Mayor straight to a private individual. And I considered that altogether the circumstances of the case were, as far as I could unearth them—and I was at a huge disadvantage, because I had not access to the official papers—such that I was justified in bringing the matter up in the House and asking the Minister to lay the papers on the table and before this Committee. I specifically alleged there was a plan on the papers showing the 4 perches, because at that time I had seen the letter written by Mr. Macdonald with the Minister, and we read the letter and turned it up and looked at the plan attached, and still believed it was 4 perches. But when I raised the question at the Council meeting, and His Worship the Mayor verbally denied that it was 4 perches, I sent a telegram to the Minister, thinking my memory must be wrong. I sent a telegram to this effect: "Can you tell me what area it was suggested should be given to the city in exchange for the 6.55 perches?" and the Minister in his reply said, "You can say, in answer to the question from you, I stated that 4 perches was to be given to the city by the owner of the corner section." That was the position. Quite apart from the question of the land altogether, there is the question of the retaining-wall, which in itself, although a separate transaction, necessitated me as a member of the Council making further investigations into the affair. There was the agreement by which the city agreed to pay £100 and Mr. Macdonald £100 for the erection of the retaining-wall, he to give the land for nothing; and, after that, the agreement which you will see was signed by Mr. Macdonald, Mr. Hislop, Mr. Luke, and Mr. Palmer, Town Clerk, and has received the seal of the Council dated the 31st October, 1907, which says, "This deed, made 31st October, 1907, witnesseth that the said Thomas Kennedy Macdonald doth hereby convey and assure to the Corporation, first, that piece of land, edged red on the plan drawn hereon, containing by admeasurement 13/100ths of a perch, and being part of Section 487 (see Appendix E) on the map of the City of Wellington; and, secondly, that piece of land, edged green on the plan drawn hereon, containing by admeasurement 34/100ths perches, being also part of Section 487." That is the piece that the city ultimately received. Might I ask if His Worship the Mayor has the agreement of the 11th October here?

*Mr. Hislop:* All the papers are there.

*Mr. W. Fraser:* A prior agreement?

*Witness:* This was made on the 31st October. The other was on the 11th October, 1907 (see Appendix F). In this agreement of the 11th October the first clause says, "Memorandum of agreement made this 11th day of October, 1907, between the Mayor, Councillors, and Citizens of the City of Wellington, of the one part, and Thomas Kennedy Macdonald, of Wellington, estate agent, of the other part. Whereas the said Thomas Kennedy Macdonald is the owner of a part of a parcel of land abutting on Woodward Street and Wellington Terrace, and the Council is desirous of obtaining from him