

Government of the colony, gave this land to the Harbour Board, and then this Bill was passed through the House afterwards. That must have been long before any promise could have been given. Before the Municipality of South Dunedin was in existence.

14. What was the value of the land, Mr. McLean, at that time?—I could not say; it was worth a large sum of money.

15. What was its value at that time—in 1875?—I would not like to say. After this road that I ordered to be extended a chain and a half wide is made, of course this land will be more valuable.

16. In its primitive state was there a road made there?—Yes; there was a road in 1875, but not when in its primitive state.

17. How far is it from Dunedin?—Close to.

18. About three miles, is it not?—No; it immediately joins Dunedin.

19. Can you say that the Harbour Board has ever put one yard of material on this land by way of reclamation?—I could not say.

20. Do you know if they have?—I do not.

21. Do you think they have?—I do not think they have.

22. I mean, in all these twenty-three acres, have they ever reclaimed a yard of it?—Yes; I believe they have. I did not understand you to refer to the whole twenty odd acres. I do not think they have done anything on the ten acres.

Hon. W. H. REYNOLDS, M.L.C., being in attendance, was examined.

23. *The Chairman.*] Would you please state what you have to say, Mr. Reynolds?—I am not aware of what has been given in evidence, so that if I state anything that you have already before you you will please state so. I will commence with South Dunedin. The land now occupied as South Dunedin belonged to a private individual. It was cut up into small sections and disposed of as a private township. As far as I am aware no reserves were made by the owner of this land for any public purposes. I am not aware of any having been made, and such being the case I was a member of the Provincial Council, and feel thoroughly satisfied that had the Provincial Council been in existence it would not have recognized any claim on the part of South Dunedin to this or any other reserve. The land in question now claimed by South Dunedin was included in "The Harbour Board Endowment Act, 1875." I was in the Government at the time, and these ten acres were included in the map showing the Harbour Board endowment. This was before the Municipality of South Dunedin existed. The Municipality of South Dunedin did not then exist, and I do not think it was gazetted for some eight or nine months afterwards. I cannot be quite certain as to the exact number of months, but it was some time afterwards before it existed as a Municipality. I simply make this statement so as to show that any promise made by the Superintendent or Provincial Executive must have been made after the land had been already declared to belong to the Otago Harbour Board. A private railway company had started to carry a railway between Dunedin, the Ocean Beach, and the Peninsula, and the Superintendent had granted permission for them to carry the railway over this land, which then virtually belonged to the Harbour Board. The Colonial Government, through the then Minister for Public Works—the Hon. Mr. Richardson—took up the question, but upon that I would prefer the Committee to take evidence from him, because I can only give it second-hand. Mr. Richardson can explain what took place between the Provincial and Colonial Governments with regard to that railway, and showing that only then the order was given to the Chief Surveyor to survey this land, so as, in my opinion, to make it appear that it was waste land of the Crown, and not the property of the Harbour Board.

24. *Mr. Seaton.*] Was the order not given by Mr. Richardson?—I cannot say whether it was Mr. Richardson who gave the order, but I understood it was the Superintendent. I know that a survey was made, and I was under the impression that it was by the orders of the Superintendent.

25. *Mr. Wood.*] And for what purpose was the survey made, Mr. Reynolds?—In connection with the Railway Company's application.

26. But I thought I understood you to say it was for the purpose of showing it was Crown land?—For the purpose of ascertaining the real position as to whether the Superintendent had any power to offer certain facilities to the Peninsula and Ocean Beach Railway Company. I think I stated that the whole negotiations between the Municipality of South Dunedin and the Superintendent, for this land being vested in the Municipality, took place after the passing of "The Harbour Board Act, 1875," and after the signing of the map showing exactly what the endowments were which the Harbour Board were entitled to. Now, there is a question I heard since I have been attending the Committee—I have heard the question put as to whether the Crown grant was legally issued or not. On that subject I do not intend to offer any opinion but this which I can say: It does not affect the question at all as to the ownership of the land, supposing the Crown grant was illegally issued. I can only say that, as far as the Harbour Board is concerned, it does not affect their position at all as regards their claim under their Act. I may state that I was a member of the Colonial Government, and not Chairman of the Harbour Board at the time that these negotiations took place, and I regret very much that I destroyed some private records and correspondence I had at the time with various parties. It was private correspondence, and, never thinking the question would crop up, I destroyed it. I was stating that, whether the Crown grant was legally issued or not, I do not think it would make any difference, seeing the Harbour Board were the only parties who could legally claim this land. Supposing the Crown grant had been illegally issued, the land would have been the nominal property of the Board until such time as they reclaimed it, and after they reclaimed it they would be entitled to the Crown grant. The land in question was below high-water mark. If you examine the Crown grants of the lands adjoining the road indicated on this map, you will find the description to be, "bounded on the South-west by high-water mark." I do not know whether the whole of them are alike, but I know some of them are bounded by high-water mark on the one side. Now, there are some of them that cross over the Anderson's Bay Road to high-water mark. It is now considerably over twenty years ago since this Anderson's Bay Road was first formed. I was a member of the Provincial Executive at the time, and I had to make arrangements with some of the parties whose land was