

foot-paths; will you put boards to them?" and so on, to all of which I answered never a word. The auctioneer looked at me several times to see if I would reply, but I gave none; and then, as the people were getting impatient, the auctioneer started up to begin, and said, "You may leave it to the generosity of the Government. It is the General Government, mind, and not the Provincial Government, and they will deal liberally with you." I came away and made a note of what I had said, which I intended to mean forming in the usual way, as I had not stopped the auctioneer in saying that the Government would put a liberal construction on the terms. When Mr. Macandrew came back, I said I thought the people should be dealt with liberally, and he said he would metal the streets, and make the footpaths, and put boards, which was quite outside of anything I had promised. Since then I understand from the Public Works Department that the auctioneer's memory is to the effect that I undertook to form and make the streets; and in giving evidence before a Committee of the Legislative Council, another gentleman who was present has said that he understood the streets were to be formed and made; that the streets were to be completely gravelled, the paths paved, the ditches channelled, and other things.

47. *Mr. Swanson.*] Drained and all?—The drains had been made. That this could not be at all what I undertook is obvious from two circumstances: one is, that if I had intended to do all this it would not have been necessary to cross-examine me for ten minutes upon what I had said; nor if I had said that, would it have been necessary for the auctioneer to say the Government would put a liberal construction on my promise, because if I had promised all that had been asked, what liberality could there be in carrying out the promise? That therefore strengthens my impression as to what took place. Then, last of all, these channels and paving that we see now were at that time on their trial in Wellington. There were a few hundred feet of channelling done, and a little bit of paving below Government House, but paving all round the town had never been heard of at that time. Consequently I think the circumstances corroborate my view. But in no circumstances should I ever have thought of going back at all from what I had undertaken, and I should not say what I now state if was not corroborated by my memorandum at the time and my statement to Mr. Macandrew when the matter was fresh in my recollection, and which was never challenged until the other day when the municipality refused to take over the streets until they were formed. It will be found that I have never varied from the account I now give. On the other hand, in the great noise and racket the people were making when the questions were being asked of me, I do not mean to say that any person there might not have formed a different impression to mine.

48. You meant simply to form the streets?—Yes.

49. And what would then be considered a finished street would not be so considered now?—No.

50. *Mr. Allwright.*] Do you consider the Government have done all you promised?—Quite. It appears that before the sale the Government had got an estimate of what the cost of making the streets would be, and probably if I had known that then I should have made no promise at all, because it was then quite evident that Mr. Macandrew after seeing the estimate had purposely left this out of the conditions of sale, probably not considering it worth while for the Government to do it. Probably in making that promise I went outside of what I should have done had I had an opportunity of communicating with him, but of course the circumstances arose suddenly, and there was no time for consideration.

51. *Mr. Swanson.*] And do you think a liberal interpretation has been put by the Government on what you did promise?—I think so.

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