

Hami came ; he saw some percussion caps in the store, Hami asked Fred. the price of one box of caps, Yates said, 2s. 6d. ; Hami tendered him the 2s. 6d., F. Yates did not take it ; Yates said wait till the Natives pay for the guns, I then went outside, the rest stopped in the store to make out an account of the guns. Matui made out the account and F. Yates ; I saw them writing it. The reason the party went was, that they heard that it was agreed by Yates and Hami that they (Natives) should go and take the guns ; we expected to pay for them—to get them on credit. We went peaceably and quietly, and remained quiet. The Yates did not offer objection to the taking of the guns. If the Yates had said anything against the taking of the guns, we would have left them. Explaining the term “*murū*,” witness said, we strip to frighten the parties we are going to plunder, with *taiahas* in our hands, war-clubs, tomahawks, &c., we did not conduct ourselves in that manner. On the morning when we arrived, the store door was open ; the Yates could have seen us before we arrived.

(Signed) PUTOETOE.

The Defendant declined to put any question to the witness.

3rd Witness. Matui, Kawhia native, Christian, sworn :—Schoolmaster under Mr. Schnackenburg. I was present when the guns were taken away, I went to take Mr. Brewer's boat ; the boat got adrift, that was the reason of my being there. I went into one of the Yates' private rooms—Leopold Yates was in the room. I said to him, have you heard the Natives have come to plunder the guns ? he said, yes, three Natives have spoken to me. I then said, what are their names ? he said, I will not tell you. Hone te One and Potoetoe then entered the room ; that was all said in that room. Fred Yates then came in and asked us to go into the store ; he said I want you all to go into the store, because there are many Natives there going to plunder the guns. We went to the store ; when there, Hanaru stood up and said, Brewer, listen to what I have to say. I have come to get a gun for myself from you. Brewer asked L. Yates what Hanaru was saying. Yates replied, he was asking for a gun from him (Brewer). Brewer said he would go and get his interpreter ; Brewer returned with the interpreter. Hanaru again stood up and asked Brewer for a gun. Brewer said he had none. Hanaru said he meant Yates' guns ; the reason he asked Brewer was because he (Hanaru) knew Brewer to be a Government Officer in Kawhia. Brewer said he was one, but Hanaru should not have the gun. Brewer would not give his consent to let him have a gun. Hanaru said again, give me a gun ; if you have one, give it me. Brewer said, I have a gun ; Hanaru said, give it to me. Brewer said, you can cut off my head, and then you can take the gun—this was relating to Brewer's own gun. That was all Brewer said. Leopold Yates then spoke to the men, wait till Mr. McLean comes, and then take the guns. Hanaru asked, when will McLean come ? L. Yates said, perhaps tomorrow ; that was all the talk in the house, then they took the guns. I did not take a gun, nor any part in taking them. The Natives took the guns outside. I went outside with them. When I got outside I told the Natives to take back the guns ; they would not agree to this ; the reason why they would not return the guns was, that F. and L. Yates had agreed to have them plundered. F. Yates told me not to say any more, but to come and have some food. The Natives still remained outside. After dinner a native named Hemeru came into the room and asked F. and L. Yates where the percussion caps were ; L. Yates said, where they usually were. F. Yates, Hanaru, and self, then went ; the store door was shut and locked ; Fredk. Yates opened it. We all then got into the store (the others outside as well), Hami went and took the caps, 12 boxes, and 10 nipples. I heard what was said about these caps and nipples. Fred. Yates said the price of them per box was 2s. 6d. ; I saw Hami tender Yates 2s. 6d. F. Yates said you must take it back again ; when you pay for the guns which have been taken away, then let it all be paid for at once. That was all I heard ; this was on the 26th April. I know the day for certain, because I wrote a letter on that day to Hone Wetere. I did not see any force or threats used on that day. I heard no objections made by the Yates to the taking away of the guns. A “*murū*” is when we go naked and armed with grimaces to frighten the people we are about to plunder. The Natives there, were neither armed, naked, nor made grimaces. It is customary when we go to *murū* to take anything and everything we can lay our hands on, and leave nothing in the house. I have had nothing whatever to do with the guns. I have heard the guns were taken to Taranaki.

(Signed) NA MATUI.

The Defendant declined to put any question to the witness.

4th Witness. Hone Wirihana, Kawhia Native, Christian, sworn,—I went with the party on the 25th April ; our object was to *murū* guns. The reason I went was that I had heard the Europeans, F. and L. Yates had agreed the guns should be taken. When we got there the store door was opened by Mr. Yates. I heard no objection made by the Yates to our proceedings that day. We went quietly and remained quiet ; we made use of no threats. I saw Hami tender 2s. 6d. to Fred. Yates for a box of caps. F. Yates told Hami to wait till they (Natives) paid for the guns, and to pay for all together. The guns are still in our possession ; four of these guns are gone to Taranaki—the names of parties who took them to Taranaki are Pene, Mori, Werita, Hemeru ; I know these Natives have taken them. I would not have personally persevered in taking the guns, if the Yates had made any objection.

(Signed) NA HONE WIRIHANA.

The Defendant declined to put any question to the witness.