

and got no answer ; I saw a couple of Natives about half a mile off, on the rise of the hill, not on the same ridge that I had come down ; I was suspicious that something was up ; to make sure, I went down to the place where the men ought to have been working ; I went about three chains up the hill, and stayed there about ten minutes, keeping my eyes on the two Natives ; while there, I saw a third Native coming down the same ridge that I had come down ; half way down, about half a mile from me, he stopped ; at the same time, the first two moved off in the opposite direction away from me ; thinking that they were coming to join the third Native, I got into the dray, and went away up the ridge to pass the third Native : directly I came opposite to him he levelled his fowling-piece at me ; I called out to him ; the cap of his gun snapped ; he pulled up the cock the second time, and snapped it again ; it did not go off ; I was just going out of the dray, and called to the man who was with me to come on and collar the Native ; seeing he (my man) had gone, and I also seeing the Native pulling out of his pouch another cap, I galloped my horse away for about two or three hundred yards ; I then stopped, and called to my man who had jumped off his dray, to run ; I did not see him at this time ; I stopped then for a few minutes, and then started off at a trot, as I saw the Native coming towards me ; I did not see either Jones, Rogers, or Sullivan, on this trip with the dray ; this was the second trip I had made yesterday ; I did not recognise the Native who followed me, and snapped his gun at me ; he was a middle aged man, fair complexion, and some tattooing on the cheeks ; he had a Government, half-worn expense pouch on him, a kind of white flannel under shirt, and a mat, or something tied round his waist, and hanging down ; I had not received any warning myself, but Jones and Owen told me that they had been told by the Natives to be on their guard ; they mentioned Te Hura's and Rewiti Waikato's names as their informants ; this was about nine weeks ago ; I have not received any notice myself, nor any notice during the last six days from any of my men, that they had received notice or warning not to stay in the hut we had appointed for them ; George Lloyd is the name of the man that was in the dray with me when what I have described took place, and jumped off the dray and left me ; I have seen the body of the man now lying in the out-house, and I recognised it to be the body of Timothy Sullivan by his arms, and general appearance of his dress, having known him for nearly twelve years.

*George Lloyd*, sworn—I was with Mr. Parker yesterday, taking fascines in a dray to where some men were working (Mr. Parker's evidence was here read over to the witness, who agreed in all the material portions of it) ; I was frightened when the gun was presented at us, and jumped off the dray and ran into the fern, and ran away as quickly as possible ; I did not see anything more of the Natives after I ran away ; I got to Jones' whare all safe ; I recognise the body now lying in the out-house by the boots and other clothes, as the body of Timothy Sullivan ; the first time we both went to where the men were placing the fascines, Jones, Sullivan, and Rogers were there at work ; this was about half-past ten o'clock ; the second time was about half-past twelve ; this time I saw three or four Natives.

*Edwin Barnes Walker*, sworn—I was informed yesterday at Reynolds', on east side of Waikato, that Sullivan, one of my men, was shot, and that Messrs. Parker and Lloyd were missing, and supposed to be shot ; I immediately got on my horse, and went out by myself to where Sullivan and the others were at work ; when I was close to the spot, I saw Mr. Parker and Booker at some little distance off ; we crossed the fascines they had been laying down, and then we met Major Clare's party ; we searched for the body of Sullivan ; I found it lying in a small gully, close to some manuka scrub ; the body was lying on the back, the arms by his side, the feet down the hill, his head was cut off and taken away, and also the heart ; his pocket knife, open, was lying by his side covered with blood ; I then called to the rest of the party ; when they came up, I turned the body to see where he had been wounded ; I found a bullet hole under his right shoulder blade, about three inches from centre of back ; he appeared to have been shot from behind ; I left the party then to bring the telegrams for Colonel Lyon and the Native Minister from Major Clare ; I have seen the body now lying in the out-house, and recognise it to be the body of Timothy Sullivan, and the same that I found yesterday in the fern ; I believe that the man Sullivan was dead when his head was cut off, as the blood had not spurted out, but ran down his shirt at his back ; I have not received any notice from any one during the last four days that there was any danger to be apprehended to any of my men at the out stations ; I had no idea that there was any danger to any one of my men ; if I had heard that danger was to be apprehended to any of my men, I should have brought them in to the home station ; I believe Sullivan was about forty years of age.

*Charles Collins* (constable) sworn—I am constable in charge of this station ; about half-past one yesterday Mr. Jones came into Cambridge and reported that he and his mate had been attacked by the Natives at the swamp, and I reported it to Major Clare, the Commanding Officer here, and by his orders at once saddled up in company with several others, went to the scene of action ; we searched, and Mr. Walker found the body now lying here, which I believe to be the body of Timothy Sullivan ; when Mr. Walker found the body he coo-ed, and we all went up to him at once ; the body was lying at the head of a small tree gully ; the head appeared to have been twisted off the body, and not cut off ; on the right side of the body I observed naked footprints on the body such as a person would have made by taking a purchase on it ; I searched for the head all around, but could not find it ; the body itself was opened up from the throat down, the breast bone was not cut through ; the stomach was open below the naval ; I found three portions of the lungs, one portion of liver, and two small pieces of entrails lying from one to three yards from the body ; I gathered it all up and put it with the body ; the body when I saw it first was lying partly on the left side and back ; there was no appearance of any struggle near where the body was lying ; I feel quite certain that Sullivan was dead before his head was wrung off ; I produce the knife that I found with the body of Sullivan ; it was then covered with blood ; I believe his heart to be gone ; I could see the finger-marks in the pieces of lungs, &c., that I picked up ; I then assisted in making a stretcher on which we placed the body and brought it into Cambridge ; I believe it was the gun shot wound that caused his death ; Sullivan was a man of about thirty-eight years of age ; where Sullivan's body was found is distant about eight miles from Cambridge ;