

703. Even if Mr. Sutton made an agreement of that kind, it would not have been made without reference to yourself?—Certainly not. *Mr. Worgan.*

704. And as far as you were concerned, if such an arrangement took place, you would have been deceived as to the nature of that arrangement?—I should. 20th Nov., 1879.

Mr. Sheehan : Is the document relating to the 350 acres here?

The Chairman : It is.

705. *Mr. Sheehan.*] You know Mr. Sutton's handwriting, I presume?—Yes.

706. Look at that document, Mr. Worgan [document produced]?—I should say that that was Mr. Sutton's handwriting.

707. Do you see the date of the memorandum?—Yes; it is dated the "31st August, 1870."

708. Was that on or about the time you received the signature to this deed?—I could not tell you the date of the transaction.

709. But your diary would show?—Yes, it would. I should say that that was Mr. Sutton's handwriting.

710. Would you read the memorandum, please?—[Memorandum read as follows: "In consideration of Paora Nonoi having executed a conveyance of Awa-te-Atua Block, I agree to a reserve of 350 acres being made.—F. SUTTON. 31st August, 1870.—GEO. DAVIE."]*

711. That is the block to the conveyance of which you obtained the signature of Paora Nonoi?—I cannot say anything about that.

712. Is it not the Awa-o-te-Atua Block?—Yes.

713. And, as far as you are aware, the terms of that document form part of the consideration?—No.

714. Throughout the whole of the negotiation, that forms no part of the consideration?—It does not.

715. If you knew this was a promise to be part of the consideration, you would have interpreted it to the Natives?—Yes.

716. And if you knew it, it should have been interpreted to the Natives. Is not that so?—I should certainly have made it known to the Natives.

717. I presume, Mr. Worgan, that your memory would be refreshed by the sight of the conveyance itself?—Yes.

718. Could you then give us further information?—Yes.

719. You were required by law to execute a declaration on the back of the deed?—Yes.

720. And that declaration specified the particular signature obtained by you, and the particular time, and the particular place?—Yes.

721. If you made a declaration on the back of the deed, and saw it, you could be able to say when and where you obtained that signature?—Undoubtedly.

722. You know Rora Poneke?—I do.

723. And her sister?—Well, I suppose I do.

724. You know Nikera, of course?—Yes; I think I do.

725. Did I understand you to say that you did not see Rora or her sister when you obtained Paora's signature?—I have no recollection of seeing them.

726. If she says that you got her to sign the Awa-o-te-Atua deed: if she states that you got her, on one of those occasions, to sign the Awa-o-te-Atua deed, will you say that that is incorrect?—I should not be prepared to say that it is incorrect. I am speaking in this way—my memory is necessarily very weak on the subject. It would be revived very materially by my looking over my diary.

727. If she swore that on that occasion you paid her a sum of money, would you say that that would be incorrect?—No; I should not. I have paid Rora great sums of money several times.

728. If she swore that the deed you got her to sign was Te Awa-o-te-Atua Block, will you say that statement is incorrect?—No; certainly not.

729. If she swore that you got her to attach Paora Nonoi's signature, will you swear that that is incorrect?—Yes.

730. Even though it was attached as his mark?—No; I would not swear that. I believe that he always signed his name.

731. I have no desire to put you into a hole. You say Paora wrote a very good signature; now if the deed is produced, with his mark attached, will you deny the accuracy?—I think I have already pretty well stated that I should not be prepared to swear.

732. In the absence of your papers and diary you cannot say that that statement is incorrect?—My impression is that he signed his own name.

733. But you have sworn positively that he had signed his own name, and that he had a very good signature?—So he had—a good signature.

734. If Rora swears that the occasion of the signing of the deed was when you and Mr. Sutton went to Paora's pa, and that she put a mark for Paora, will you undertake to swear that that statement is incorrect?—Well, it is almost asking me to tax my memory to too great an extent.

735. Well, of course I do not wish to press you, in the absence of the deed?—I should like to see the deed.

736. You are not prepared to deny the fact that you might have paid money when you were there with Mr. Sutton?—Very likely.

737. Could you not remember—just try if you could remember—By the way, was it on your return from Patangata that you first visited bridge pa?—I could not say.

738. Could you not remember now who it was who attested the deed when you obtained Paora's signature?—The Native who attested it.

739. I will mention circumstances that might remind you?—Yes.

740. Probably you travelled alone?—I do not think I did; but I will not say that I did not travel alone.

* The words "George Davie" were written across the document.