

Mr. Sutton.

25th Nov., 1879.

1224. What was said when you first went into the whare? Did you speak at all yourself, or did Worgan begin the conversation?—I do not remember. I took part in the conversation.
1225. And Worgan took part?—Yes.
1226. Who spoke first?—I could not remember who spoke first at this distance of time, or what the first conversation was; but it was all about what we had gone for.
1227. Who conducted the negotiation for this matter?—I did, through Worgan.
1228. Through Worgan? I suppose you could understand what Worgan said?—Yes.
1229. In what condition was Paora Nonoi?—In what condition?
1230. Yes. Was he in ordinary health?—He was not well. I understood that he had a bad cold, or something of that sort. He was sitting and lying down all the time that I was in the whare.
1231. Was the deed unfolded? Did Worgan unfold it?—He could not read it out without unfolding it.
1232. Did he unfold it to read it?—That is a stupid question. He had the document in his pocket, and he had to take it out and unfold it before he read it.
1233. But did he do so?—Certainly; he could not read it without unfolding it.
1234. Did he go over to where Paora was and read it to him?—He went over to Paora and read it to him. The whole establishment that we were in was nothing like the size of this room. I think it was about one-third the size of this room.
1235. Then every one must have seen what took place?—Yes; every one.
1236. Did Paora take part in the conversation?—Paora and Rora together did. Rora, I believe, did the principal part of the talk.
1237. Who was it, then, who agreed to the terms—Paora or Rora?—Both of them.
1238. Did Rora say that she agreed?—Rora advised Paora to consent; she spoke first in favour of accepting the terms.
1239. Did Paora then state that he consented?—Yes.
1240. What did he say?—I forget the exact words he used. He satisfied me that he was a consenting party.
1241. You do not remember what he said?—I do not remember the exact words.
1242. You said that you saw him sign his name to the deed by putting his cross?—I did.
1243. Did he himself make the cross?—He made the cross. I believe that Worgan wrote the name, and Paora took the pen and made the cross himself.
1244. Did you give him the money then?—I believe so.
1245. I ask whether you did or not?—I do not know whether I gave the money into his hand or not. We were all together. I left the money and the paper together.
1246. Did he take them?—Whether he took them or not I cannot say. My impression is that Paora gave Rora the cheque or notes while we were there. We did not recognize Rora as the person with whom we were dealing.
1247. Then the terms you instructed Worgan to make were a reserve of 350 acres and the payment of a sum of £250?—I did not instruct Worgan to make terms. I made terms myself.
1248. But Worgan translated them?—Yes.
1249. And you heard Worgan translate them?—Yes.
1250. Was anything of that put in the deed?—Of what?
1251. Anything about the reserve of 350 acres?—No.
1252. Or that Paora should be paid two hundred and fifty pounds?—No; neither was it in the other case to which I have referred—the Kahiraawa Block.
1253. Was Rora asked to sign her name?—I think not. She said that she would sign, and she took up the pen and did so.
1254. Was she near her father?—Yes. The whole whare was only about one-third the size of this room.
1255. Are you positive that no spirits were given to Rora or Nikera?—I am as positive as I can be. I have heard Worgan's evidence. I am not certain whether he had any with him, but I am of the strongest possible opinion that there was no liquor produced by us.
1256. Will you state positively that neither of you gave spirits to the Natives?—I did not, and I do not think Worgan did. There was no necessity for us to fetch spirits with us. We left my place at 4 o'clock. We were at Coleman's at 6 o'clock. We brought no spirits with us, either from Napier or Coleman's, so far as I know.
1257. You think that Rora volunteered to sign her name to the deed?
1258. She was not a party to the deed?—She signed it. My impression is, that we expected Rora to witness the signature of her father, but that she signed in the wrong place. She signed under his name. I think it was in further consultation that we got another Native who was present to witness.
1259. What did you say to him?—I do not know exactly. We asked him to witness. He did not demur.
1260. Can you not remember any of the words made use of when he was asked to sign?—I cannot.
1261. Was that paper written before Paora signed, or afterwards?—It was written before he signed. It was not given to him until after he had signed. It was written and read to him.
1262. You are certain of that?—Yes.
1263. By whom was it read?—By Worgan, and by myself, too. I certainly read, and Worgan also.
1264. Before Paora signed?—Yes.
1265. Why, then, is it written, "In consideration of Paora having executed"?—You would not have it worded "In consideration of Paora being about to execute," would you?
1266. If this paper was written before the deed was signed why is it worded, "In consideration of Paora Nonoi having executed the deed," Mr. Sutton agrees to the reserve. I wish to know why, Mr. Sutton, it did not use other words, or say, "In consideration of Paora Nonoi 'executing'" a