

*Mr. Sutton.*

25th Nov., 1879.

1357. Was Mr. Witty resident in Napier in 1873?—Yes, he was.

1358. Had he been there long?—I do not think he had been at that time a resident of Napier for many months. He had been about the district for many years. I think he resided the principal time in Wairoa, and only came to Napier a few months before.

1359. Is he at Napier now?—No, he is not. He was at the Wairoa. I am not certain whether he has left there or not.

1360. Did he examine the Natives and ascertain if they admitted the correctness of the accounts?—He examined nothing about the accounts over this block. It was not referred to him. Nothing at all in the subject-matter of this petition was referred to that Commission. There was at that time nothing like forgery or dispute talked of in connection with the Awa-o-te-Atua Block.

1361. Did he examine the Natives in regard to the correctness of your other accounts?—I do not think he did. What he did was under the direction of the Commissioners.

1362. Did you keep a copy of the paper regarding the 350 acres?—No, I did not.

1363. Then you could not have given a copy of it to Mr. Coleman?—I did not give him an exact copy of it. I gave my impression verbally of it to Mr. Fountain.

1364. Did you give him anything in writing?—I do not think I did. I think he took a note of it in his memorandum-book. I do not think I gave him anything in writing.

1365. Did you register the deed?—The deed of conveyance to myself; yes, I did.

1366. Did you enter anything upon the register regarding this paper which you gave to Paora?—No.

1367. Was that a fair way of dealing?—It was the usual way. I should say it was a decidedly fair way. The Trust Commissioner, who knew his duty well, allowed Mr. Coleman to register an absolute conveyance for the Kakiraawa Block with the full knowledge that it was intended to give a reserve; and I believe the document agreeing to the reservation has never yet been registered. The agreement was a legally-drawn document.

1368. Have you paid the whole of the £250 to Paora Nonoi?—The purchase-money has been paid to either Rora or Paora Nonoi.

1369. How much of the purchase-money was in spirits?—I could not say exactly. I should think that there was very little for spirits. Paora Nonoi was a very sober man, and his daughter was also very sober.

1370. Have you paid the other owners in the block all that they were entitled to?—Yes. There were some with whom I did not deal.

1371. And how much did you pay them in spirits?—A very small quantity indeed. It is altogether a mistake to think that Natives spend what is supposed in liquor. So far as my experience goes, I do not think they do.

1372. The night you went to Paora's pa, did the Natives drink spirits of their own?—I do not think so. I do not believe there was any spirits at all there. I have been at Native pas where they kept spirits and wine, but my impression is that there was none at Paora's pa the night we were there, either brought by ourselves or supplied by the Natives.

1373. Where did you meet Rora in Napier the day you took her to Mr. Hamlin's office?—In the front of the late Provincial Buildings.

1374. How did you speak to her first?—She spoke to me first. I refused to shake hands with her for what she had done in summoning me.

1375. What did you do then?—She said, "I have done nothing." I said, "You sued me for £7,000; I have received the summons from Mr. Rees." She said, "That is his work, not mine."

1376. What then?—I said, "Have you not been to Mr. Rees?" She said, "Yes; I have been to him to summons Mr. Sheehan for the balance of Watt's money." I do not remember now whether she said it was Mr. Sheehan or Mr. Russell who had the money.

1377. Well, what about going to Mr. Cornford's office?—I wanted her to go and talk the matter over with Mr. Hamlin, that I might thoroughly understand the conversation. I do not thoroughly understand Maori. I could, however, understand what Rora said.

1378. And she was willing to go?—Thoroughly.

1379. Who was with her?—I do not think any one was with her at all. She was carrying a child upon her back.

1380. Do you think it right that she should be taken alone to your solicitor's office, with your interpreter present, and no one there on her side?—I should say perfectly right. She is by no means an ignorant woman, and I do not think the assistance of such lawyers as they have employed has been in the least satisfactory. Their advice has been terribly expensive.

1381. *Colonel Trimble.*] You were speaking about that document signed "F. Sutton." You said that you thought it was drawn in different terms?—Yes.

1382. Was it after reading the petition or the document that you thought so?—After reading the petition I was under the impression that the document was more definitely worded than it is.

1383. Now you are satisfied that this is the document?—Yes; I am satisfied about it. Foolishly I did not keep a copy of it—the only transaction of that sort in which I did not keep a copy of. Why I thought differently was this: I thought that the document absolutely gave Paora 350 acres for his own use. It would be so by inference. The arrangement was that he was to get the 350 acres independently of any reserves for the other grantees.

1384. You say that you acted as Mr. Coleman's agent in the matter of this purchase?—Yes.

1385. Did you owe him money or did he owe you money at the time?—Neither. I forget how the matter originated. There was an agreement between myself and Mr. Coleman that I was to sell to him. I bound myself to do so at the cost price. Why I went into it was this: a number of the Natives owed me money, and I entered into the arrangement I did with Mr. Coleman for my own protection.

1386. Then Mr. Coleman paid you what the Natives owed you?—Yes. I used to draw the money from Mr. Coleman in sums of about £300 at a time. Mr. Coleman trusted me to such an extent as to have the deed executed in my name.