

Sutton and Coleman, in which Sutton agrees to acquire the interests of the grantees of these blocks for £300 apiece, and to transfer to Coleman the interests so acquired. I cannot tell the exact terms. I presume that Mr. Sutton's connection with the title must have been a continuous one until he conveyed to Watt or Coleman, whichever it was. I may state that the real thing thought of in connection with these negotiations was the allegation of Karaitiana that a promise had been made of a reserve of 400 acres in the Awa-o-te-Atua Block. I remember taking him to the Registry Office in Napier in 1873 and showing him the title and plan of the deed, and pointing out to him that the reserve in the Awa-o-te-Atua Block was twenty-five acres.

1813. Did it appear in your research into the title that Mr. Sutton was practically agent for Mr. Coleman and not buying for himself?—As I have said I should opine from that agreement on the registry that Mr. Sutton had undertaken to acquire those interests for Mr. Coleman.

1814. Did it appear that Mr. Coleman or Mr. Fountain paid Mr. Sutton money from time to time to go on with the purchase?—I cannot say. That would be a matter between them.

1815. It did not appear in the title?—No.

1816. You were of that opinion when Mr. Coleman transferred his interest to Mr. Watt?—So far as the title shows it Mr. J. N. Wilson acted for Messrs. Watt and Farmer when the transaction took place. I was in Auckland in 1873, and not expecting to come back. So far as the title is concerned in the subsequent negotiations between me and them nothing is shown.

1817. Between Watt and Farmer and yourself?—Yes.

1818. *Mr. Sutton.*] I should like to ask Mr. Sheehan two or three questions. Do you remember when you first became acquainted of the existence of the will?—At the time of the Hawke's Bay Commission, I think.

1819. In 1873?—Yes; I think I had an office in Carlyle Street at the time, opposite to where there is a church. Davie came round there one morning or at lunch-time with some papers in his hand relating to Paora Nonoi's affairs.

1820. You received instructions for probate for this will?—No; I did not.

1821. Davie says so?—No; I declined to have anything to do with it.

1822. Did you know of the existence of it?—Yes.

1823. Do you think it was proper to disregard it in your settlement with Watt and Farmer?—Mr. Watt knew and Mr. Wilson knew that Davie had these papers. It was a matter of public talk.

1824. You did not think the matter of sufficient importance to affect the negotiations?—The person taking the beneficial interest under the will was actually conveying to Watt.

1825. In reference to this memorandum for the 350 acres, do you remember when it first came into your possession?—Have you got the date of Davie's return? It would be about that time.

1826. That was in 1877?—I do not know.

1827. Do you remember the trial between myself and the Natives in reference to the Omaranui Block?—Yes, I remember.

1828. Do you remember that you had the document in your possession in the Court?—I cannot say.

1829. That was in 1873?—I never had anything to do with the document until I got it from Davie.

1830. Are you quite sure that you had not the document in Court?—Yes.

1831. How do you reconcile that with your statement that you acknowledged having the document in your possession in 1877?—I have not.

1832. But you say you had it in 1877. How was it that you did not bring it under Mr. Watt's notice?—That was not the only unfulfilled transaction.

1833. What was the £17,500 paid for by Mr. Watt?—For a good title.

1834. I understood you to say that there were only four who had not sold?—There were only four who had not professed to sign. Many of the deeds were presumably bad, owing to the judgment in the Mangateretere case. There was only one title out of all the twenty grantees in the first conveyances that was good—that was for Hoani Wharemakō's share.

1835. Do you remember any other arrangement with Mr. Coleman or any of the Natives about an individual reserve as well as this?—In the Awa-o-te-Atua Block?

1836. In the Awa-o-te-Atua Block and Kakiraawa Block?—In the Kakiraawa there was a document about Paramene's sale. It purported to give a right to another reserve near where he afterwards cultivated. I am not sure whether it was an exchange for another reserve or not.

1837. Do you remember any others?—If you remind me I might.

1838. Was there no reserve for Tamihana Materoa?—I could not say. He was dead when I went to do business in Napier.

1839. He was dead in 1873?—I was not concerned in these cases. I was only acting in the cases that came on before the Commissioner's Court.

1840. You have no knowledge of an absolute deed between Coleman and any other Native for a reserve in the Kakiraawa Block?—I cannot say. It is quite possible.

1841. What was the nature of the reserves for Paramene?—I think it was more with reference to changing the aspect of the reserves. Paramene's people wanted to give up some land in lieu of other land. It was a thing that took place when you ceased to have anything to do with the title.

1842. I think you are wrong. Has that arrangement been carried out?—I cannot say.

1843. Was it carried out by Messrs. Watt and Coleman?—All that the Natives asked for and discussed with Messrs. Watt and Coleman was carried out.

1844. You say that the Natives did not ask for the 350 acres?—If you will have an answer I will tell you. In a block of land of 6,000 acres it was absurd to imagine that any one man who proposed selling his interest in the block should get back 350 acres for himself. The promise was only made to get the signature.

1845. You think it was an absurd thing, then?—Yes.

1846. But, as a matter of fact, you knew that there was such a promise for a reserve?—Yes.

1847. And you sold to Watt with that knowledge in your possession?—Yes.

Mr. Sheehan.
8th Dec., 1879.