

Rev. W. Gittos.

July 30, 1880.

FRIDAY, 30TH JULY, 1880.

Rev. WILLIAM GITTOS examined.

32. *The Chairman.*] We need not go into the question, Mr. Gittos, of the trust, because we have official evidence on that point; but we come to your assertions, of which, of course, we can get no official information. You said that these boys were attending a certain school?—Yes.

33. In your petition you did not tell us any dates. Just take the petition and go over each point, giving us as nearly as possible the dates of these transactions.—I think I can tell you the dates. The cheque is dated the 8th December.

34. Of what year?—1874.

35. That is the £20 cheque?—Yes, that is the cheque for £20; the second cheque is dated 14th May, 1874. The cheque of £20 is drawn in favour of Mr. John Sheehan. The slips prove that Mr. Sheehan drew the money. And the other was in favour of Mr. Brissenden.

[Witness, at this stage of the proceedings, was sworn by the Chairman.]

36. *The Chairman.*] You said in your petition that there was a cheque of £20 drawn in favour of Mr. Sheehan, and that it was signed by him?—It was signed by him and Arama Karaka Haututu. That was the arrangement between myself and Mr. Sheehan. That cheque was dated 8th December, 1874, and was duly signed by Arama Karaka. Mr. Sheehan also signed the cheque as co-trustee; and the money was to be deposited to my credit in the bank. When my bank-book was made up I noticed that the £20 was not included, which led me to inquire. By further investigation, and by applying to the bank for the cheque and the slip, I noticed that the money was drawn by Mr. Sheehan.

37. Is this the cheque for the £20 referred to?—Yes; that is the cheque referred to.

38. This cheque is dated 8th December, 1874, and signed by Arama Karaka Haututu and Mr. John Sheehan, trustees of Wi Apo, for £20. It is also indorsed "J. Sheehan." Do you know the handwriting?—I know the handwriting of only one of the parties signing.

39. Do you produce this as the original slip [lodgment slip containing entry, "Account E. T. Brissenden, £200"]?—This slip I secured from the bank as the original slip. You will perceive the item of £200.

40. You pass in also a memo. from the bank of a lodgment in which the cheque has allowance for £20; but you cannot, of course, say that that is the same cheque?—I cannot positively say that. I asked the bank to send it, and I secured it from the bank this morning.

MONDAY, 2ND AUGUST, 1880.

Rev. WILLIAM GITTOS examined.

Rev. W. Gittos.

Aug. 2, 1880.

41. *The Chairman.*] As your evidence to-day is in continuation of that which you gave on Friday, perhaps before making any further statement you will be good enough to answer a few questions which I propose to ask in reference to the facts alleged in the petition. You say in your petition that Wi Apo committed to your charge his two sons: is that true?—Yes, it is true.

42. Are these boys still in your charge?—Yes.

43. Are you responsible pecuniarily for their maintenance and education?—No.

44. You say that, by direction of Arama Karaka, one of the trustees for the boys, you applied to Mr. Sheehan for money towards their education and maintenance: at what time was that application made?—I cannot tell the date except by reference to the cheque.

45. Will that enable you to tell the approximate date of the application?—I cannot tell exactly, except by reference to the cheque.

45A. Refer to the cheque?—The cheque is dated the 8th December, 1874. It would be prior to that when I was in Auckland.

46. Did you apply by letter or personally?—Personally.

47. What did Mr. Sheehan say in answer to your application?—His answer was to the effect that the trustees had power to appropriate. My question was whether the trustees had power to appropriate the funds, or whether the boys would merely have the interest of the money; and I understood from him that the trustees had power to appropriate the funds, and he consented to the amount which was proposed, £20.

48. Did Mr. Sheehan arrange that the amount was to be paid to you or in some other way?—I understood him to say that the amount would be handed over to me for the boys.

49. You say in your petition that at Mr. Sheehan's suggestion you got Arama Karaka to sign a cheque for £20: is that true?—Yes.

50. Was it Mr. Sheehan's suggestion or your own?—That was Mr. Sheehan's suggestion. Of course I did not know how to deal with the money.

51. Did you get Arama Karaka to sign a cheque?—I did.

52. You got him to sign this cheque for £20?—I did.

53. You say in your petition that you forwarded that cheque to Mr. Sheehan for his signature, with instructions to place the amount to your credit: was that by letter, or how?—By letter, as far as I remember.

54. Have you a copy of that letter?—No.

55. Did you receive any reply from Mr. Sheehan?—No, I did not.

56. Was the money paid to your credit?—No; it appeared when I got my bank-book made up that the money was not paid to my credit.

57. Has Mr. Sheehan explained the matter to you?—He has not.

58. Can you produce the cheque and state how you came to be possessed of it?—These are the cheques.

59. How did you become possessed of them?—I waited upon Mr. Kissling, manager of the bank. I had seen those cheques when Colonel Haultain went to the bank. A statement was made to him that I had drawn the £20; and I had no opportunity of defending myself except by asking him to go