

*By the Commissioner:* There was no understanding as to the return of the £25 under certain conditions. Dr. Buller states in his evidence that I paid £25 as a bribe. That is not in the letter from Dr. Buller to me; and I deny having ever stated that I paid the £25 as a bribe. It is true I paid the money as a loan. I never said to Dr. Buller or any one else that I paid it as a bribe. Mr. Sheehan destroyed the receipt, and I told Dr. Buller that he did so. Dr. Buller says these statements were made openly at Cambridge. I did speak on these matters several times, but only in the presence of Dr. Buller, Major Jackson, and Searancke. He also says in his evidence that I visited Pomare at Whangarei. He did not mention this in his letter to me; and it is not true that I visited Pomare at Whangarei. I saw Pomare at Kawakawa, Bay of Islands, at the hearing of the Puhipuhi Block, and told him there would be an inquiry. This was in February, 1883. Pomare said he would tell the truth about the £25. Dr. Buller says in his evidence that he had my permission to mention this if he should be pressed. I do not remember giving such permission. The matter was not freely talked of, but only between the three I have named.

*By the Commissioner:* My explanation of my statement that I would substantiate on oath Dr. Buller's evidence is that I was very busy at Ohinemutu, and I made a mistake in making that statement. I could not have gone so far had I sufficiently considered it. The receipt was simply a receipt for money lent. The last part of my letter to the Under-Secretary of the 4th September, 1885, was written after my interview with the Native Minister, and after it had been decided to hold an inquiry. I did draft a petition for inquiry, but on Mr. Sheehan's death I tore up the petition, and refused to go on with it. After that I became aware that the inquiry would be held nevertheless.

Evidence read over to and signed by Mr. Fraser.

*Walter Lawry Buller* sworn: The evidence given by me before the Native Affairs Committee having been read over, I affirm its correctness. The letter read from me to the Native Minister was sent by me, and the enclosures are true copies. I wish to say that the statement I made to the Committee was made under a full sense of responsibility, at a time when the facts were fresh in my recollection. I believed then, and still believe, that my statement was correct in every particular. In the matter of Mr. Fraser's visit to Whangarei, I spoke of my own knowledge. I thought he had gone to Whangarei, and I was under a misapprehension in that respect. It seems he saw Pomare at Kawakawa. It is not material where he saw him. It was understood at Cambridge that Mr. Fraser would see Pomare. I accept this correction. The whole matter is the circumstances under which the cheque was paid. There is no question of the money having been paid. I understood it was paid for a corrupt purpose. I could not have put the point more strongly than I did in my letter to Mr. Fraser dated the 31st August, 1883, in the words following: "That the cheque for £25 was drawn by Mr. Moorhouse, Mr. Sheehan's client, in Pomare's own name, and could, no doubt, be obtained at the bank; that you held for a short time a receipt for the money, handed over as instructed, on the express understanding that in a certain event it would be destroyed, and that it was so destroyed by yourself under the same instructions after the delivery of the judgment in the rehearing of the Rangipo case." I would remark that, in Mr. Fraser's reply, he speaks of having received my "interesting letter," from which we may infer that he had read them carefully, and uses these words: "So far as the Pomare Kingi-Sheehan affair is concerned, you may depend on my giving evidence of so conclusive a character as cannot easily be broken; substantiating in every material particular your statement of fact to the Committee." The only statement of fact before Mr. Fraser at that time was the letter I have just quoted; and if I had misrepresented Mr. Fraser on so important a point, then was the time for putting it right, inasmuch as the whole gist of the matter was, was this money paid with a corrupt motive or not? and the motive could only be gathered from the surrounding circumstances. Mr. Fraser said he never told me or Major Jackson that this money was paid as a bribe. I say I have no recollection of it being said that the money was for a horse; and if he says it was simply as a loan, I do not see why I should have been made the subject of communication. In my conversations with Mr. Fraser and Major Jackson the payment of this money was all along referred to as a bribe. Mr. Fraser did understand me when referring to the "episode," that I mentioned it as a bribe, for in his reply to the Under-Secretary of the 10th September, 1883, these words occur: "It has been alleged that you stated to Dr. Buller and others that, when in the employ of Mr. Sheehan, and acting under that gentleman's directions, you paid to Pomare Kingi, who was at the time acting as Assessor in the Rangipo rehearing case, a bribe of £25." In his reply—of which he furnished me a copy—he did not in any way repudiate the charge, but said on the 24th September, 1883, "I am aware that upon the hearing of the Whakamaru petition, before the Native Affairs Committee certain evidence was given *re* the payment referred to in your letter. That evidence is in every material circumstance correct; and I shall be prepared to substantiate it on oath when called upon to do so by competent authority." Mr. Fraser did not attempt to correct me in the statement then made. On the contrary, Mr. Fraser, in his letter of the 24th September to me, practically verifies all I advanced, and uses the following words: "Any statement made by you, whether under privilege or not, should be accepted as perfectly correct." Mr. Fraser says to-day he does not remember giving me permission to repeat what he told me. In my letter to him, already quoted, I said, "He gave me permission to mention them." In his reply, Mr. Fraser did not say that he had not given me such permission. I did send to Major Jackson a copy of my letter to Mr. Fraser, because Major Jackson's name had been mentioned. Major Jackson did not deny the truth of the statements I made in that letter. Although two years have elapsed, I have not received from Mr. Fraser any communication calling in question the accuracy of my statement. When writing to Mr. Fraser I had no intention of making any other use of the letter. It was only in January, 1884, in consequence of certain communications which I understood from Mr. Bryce that he had received from Mr. Fraser, that I felt bound, in justice to myself, to place the whole matter in the hands of the Native Minister. On the first occasion when I saw Mr. Fraser afterwards, in Wellington, I read to him from my letter-book the