

175. *Sir G. Grey.*] At what o'clock did Mr. Mackay give you these papers and rights?—I cannot say exactly, but between 6 and 7.
176. What did he give them to you for?—He give them into my charge. He was in the habit of giving me his papers. I had charge of his land-purchase papers.
177. How long did they remain in your possession?—About two hours.
178. What made him give them to you for two hours?—He was going away on horseback to look after some roadwork or survey lines; I forget which.
179. Who was in the tent when you gave them to Mr. Brissenden?—Brissenden and myself.
180. No one else?—No.
181. Did Crippen know you had given them to Brissenden?—He did not.
182. Does he know it now?—I have never told him.
183. Did Mr. Mackay send you with a message to Mr. Allom?—No.
184. Whom did he send with that message to Mr. Allom?—Crippen, I believe.
185. And you knew that the message had been sent about the missing miners' rights?—Yes.
186. And you let the message go without saying anything?—It was the night before that the message was sent.
187. Were those not the same miners' rights?—No.
188. What were they?—Some that had never been made out.
189. Who sent you to Katikati?—Mr. Mackay.
190. When did he order you to go?—Between 8 and 9 o'clock that same morning.
191. Did you know the evening before that you were to be sent away?—I did not.
192. At what o'clock did you give the miners' rights to Brissenden?—Between 6 and 7, I should think; but I do not recollect looking at my watch. There is nothing by which I can arrive at the exact time.
193. Did Mr. Brissenden go back again the same day from Mackaytown?—I did not see him again.
194. And you were sent away the same morning?—Yes.
195. And when did you come back?—On the following day.
196. Were you in the Thames district when Major Keddell made inquiry into the circumstances?—I was at Ohinemuri, and was examined upon the inquiry.
197. Did you swear to tell the truth, the whole truth, and nothing but the truth?—I did.
198. And did you tell these circumstances?—I answered all the questions that were asked me.
199. And you retained these facts from the Commissioner's knowledge?—I was simply asked questions, and I answered them.
200. But you did not tell him these circumstances?—I did not.
201. Have you ever told them to any other person?—No.
202. *Mr. O'Neill.*] Are you aware that Mr. Brissenden had paid for these rights on the previous day, or lodged the money with Mr. Allom, the Registrar?—I saw him pay a sum of money for miners' rights to Mr. Allom.
203. *Mr. T. L. Shepherd.*] When these rights were lodged with you, were you aware they were to be issued at 10 o'clock, at the proper office?—Yes, generally speaking, I was aware of it, but I was not informed of it in any particular way.
204. Did you know that they were not to be issued before 10 o'clock?—It was generally understood that that was the time, but I cannot say I knew it specially.
205. Had you any power to issue them?—No.
206. Were you aware that Mr. Brissenden was going to use them for the purpose of pegging out ground?—I did not consider, but I suppose that must have been the object.
207. Did you think at the time that you were assisting him to commit a fraud?—I did it on the spur of the moment, and if I had taken time to consider I should not have done so.
208. You said he persuaded you to give them to him?—I said he pressed me, I think.
209. In what way did he press you?—He said that I knew he had paid for them, and that he would not make an improper use of them, or words to that effect.
210. Then did he press you to keep it secret?—He did.
211. And was that the reason why you kept your pledge till now?—Yes.
212. Did he offer you any other inducement?—No.
213. Did he agree to give you any share in the claim marked out?—No, he did not.
214. What number of bundles of miners' rights did you receive from Mr. Mackay?—I really do not know. There were a number of them.
215. Did he count them?—No.
216. Neither when you received or returned them?—I returned them—in a bag which he had given me—among other papers.
217. He gave you the bag to mind?—Yes; he had these papers and miners' rights in his pocket, and he gave me the bag, and told me to put them in it and keep them till he came back.
218. Did you put them in the bag?—I did, and while I was doing so I gave Brissenden a bundle.
219. Did you have to look through the bundles to get at the names?—No, I saw his name on the top of the bundle.
220. Have you had any conversation with Mr. Brissenden from that time about the matter?—I think once, in Auckland.
221. What took place then? Who commenced the conversation, and what were the exact words used?—I really could not say the exact words—it was some time after Major Keddell's inquiry—but he said something about having got into a "nice mess."
222. That who had got into a nice mess?—Myself and he.
223. Did he still impress on you the necessity of keeping it quiet?—No.
224. Has Mr. Mackay ever seen you between the "marking out" of the ground and Tuesday last? Yes, very frequently.