

Mr. Rees.  
4th Nov., 1879.

handwriting, and they state that it is undoubtedly Mr. Sutton's handwriting. I may state that the only thing that prevented the suit from being brought against Mr. Sutton again civilly was, that I was debarred from doing so by the Statute of Frauds. The written document was not sufficient to go before a Court in a civil suit, no matter what were the circumstances attending it. Hearing that I was to be called as a witness by the Committee, I telegraphed up for these papers. I only knew on Friday evening or Saturday that I was to attend here to give evidence. I have had no time since to get the paper-writing. Had I known before that I was going to be called I would have brought the paper down with me. I think, however, that it will be down by the overland mail this evening. I also sent for all other papers in connection with the subject. I satisfied myself that Paora Nonoi was a grantee in the land, and that he had assigned this land to Mr. Sutton; that certain documents had passed which this man, Nikera, had purported to sign as witness. These girls who were present, as it is alleged, when Paora Nonoi signed, I examined, before taking any steps in the matter of the prosecution, or before I advised the course of petitioning the House. I took every precaution that any reasonable man could take in order to satisfy himself that the steps that were being taken were correct.

4. *The Chairman.*] Anything further?—I know what the statement made by the two girls, Rora Nonoi and her sister, and Nikera is; but that is only hearsay evidence. I could not, of course, state that what they say is true.

5. *Sir G. Grey.*] What character does Mr. Davie bear?—I have never heard anything against his character at all. He was employed generally in these land transactions. I believe that he had one transaction with Mr. Ormond in relation to the Heretaunga Block. [*Mr. Ormond*: I never saw the man in my life, or spoke to him.] I think he got a cheque for £30 for a transaction in which Paramene was concerned, in the Heretaunga Block.

6. Have you ever heard of him as a man of known bad character?—No; neither among Europeans nor Maoris. The Natives have a good deal of confidence in him to this day, which they have not in many other Europeans.

7. Has Mr. Worgan been convicted of some offence since the beginning of these proceedings?—Yes; I believe for forgery, just at the time when proceedings were being instituted. I may state that I was trying to get him at the time to appear as defendant in the case.

8. You believe forgery was the offence?—That is the public statement in the papers. I believe Mr. Worgan stated before Mr. Justice Richmond, as appears in the public reports, that he had been guilty of offences of the same nature in interpreting Native deeds prior to that. That statement was made before Mr. Justice Richmond in Napier.

9. *Mr. Whitaker.*] Was this man (Davie) employed on behalf of the Natives or Europeans?—Europeans.

10. The Europeans. Has he any occupation?—He kept a hotel and store at Pukahu. He is a well-known person among the Natives.

11. Is he married to a Maori woman?—I do not know.

12. Has he got a Maori woman?—I do not know. Oh! I remember now he has got an European wife and large family. His wife kept a lodging-house for many years, and still takes lodgers.

13. How long since he gave up the hotel?—So far as I know, he gave it up in 1873 or 1874.

14. Has he had any other means of living but through this Native business since?—He has been in employment in Napier since.

15. You are not in a position to state thoroughly the nature of the man's character?—I have never heard him accused of dishonesty.

16. Have you ever employed him in any Native transactions?—How do you mean—employed him?

17. In land transactions?—I have never employed him as interpreter. I have used his services as a messenger for the purpose of carrying messages to Natives. I have never employed him in any other capacity. I got him to carry messages because he knew the Natives personally.

18. He is one of those persons who come under the appellation of pakeha-Maori?—He might by some people be so called. I know as a matter of fact that thousands of pounds, consideration money for Maori lands, have passed through Davie's store and publichouse.

19. You say that many thousands of pounds have, as consideration money, passed through his store?—Yes. That came out in sworn evidence in Kinross's case.

20. *Mr. Acton Adams.*] Was this land granted to Paora Nonoi?—Yes.

21. Under the Native Lands Act?—Yes; but there were not more than ten men in the grant.

22. Is his share an ascertained one?—No.

23. Has Mr. Sutton acquired the interest of the other grantees?—I think so. I think he acquired the majority of the interests. So far as the deeds go, that is made to appear.

24. What is the extent of the block?—I do not know. Mr. Sheehan would know.

*Mr. Sheehan*: Six thousand acres.

25. *Mr. Acton Adams.*] Was the deed that was signed that night registered?—Yes.

26. Could Paora Nonoi write?—I think he made a mark. I am pretty sure of that. Rora Nonoi signed the deed also, although no party to it. Nikera signed as witness.

27. Who was the other witness to the deed?—Mr. Worgan.

28. Is Paora Nonoi still alive?—No.

29. When did he die?—Some years ago.

30. Then his two daughters would be entitled to succeed, supposing there was no conveyance?—Yes. Under the Maori custom of succession they would be the absolute successors.

31. Does this deed that is signed purport to be an absolute conveyance?—Yes. There were usually a number of deeds. First of all there was a lease, then a mortgage, and then a sale.

32. What were Mr. Sutton's prior rights to the land?—I think he had a mortgage over it.

33. Is the mortgage signed by Paora Nonoi?—I am not sure of that. The usual way of doing those things was, first the lease, then mortgage, then an absolute sale.

34. What is the financial position of his daughters now? Are they able to come here?—I do not know. They have undefined interests in land; but I cannot say that they have any money.