

BOND

GIVEN BY WILLIAM DAVIES

TO

RAKAPA KAHOKÉ AND KARANAMA TE KAPUKAI;

ALSO PAPERS RELATING THERETO.

Return to an Order of the House of Representatives of 10th September, 1867.

That there be laid upon the Table of this House "Any Correspondence relative to a Bond given to certain Natives of the Rangitikei District by William Davies, of Wellington, for the payment of the sum of £600."

(*Mr. Ludlam.*)

WELLINGTON.

—
1867.

BOND GIVEN BY WILLIAM DAVIES TO RAKAPA KAHOKÉ AND KARANAMA TE KAPUKAI.

No. 1.

Copy of Bond given by WILLIAM DAVIES to RAKAPA KAHOKÉ and KARANAMA TE KAPUKAIOTU.

Know all men by these presents that I, William Davies, of the City of Wellington, in the Province of Wellington, bookkeeper, am held and firmly bound to Rakapa Kahoke, of Rangitikei, in the said Province of Wellington, an aboriginal female native of New Zealand, and Karanama te Kapukaiotu, of the same place, an aboriginal native chief of New Zealand, in the sum of six hundred pounds (£600) of lawful money of the Colony of New Zealand, to be paid to the said Rakapa Kahoke and Karanama te Kapukaiotu, or their certain attorney, or attorneys, executors, administrators, or assigns, for which payment to be well and truly made I bind myself my heirs, executors, and administrators, and every of them firmly by these presents. Sealed with my seal. Dated this fifth day of January, one thousand eight hundred and sixty-seven.

Memorandum—That the above written bond or obligation is given for securing the payment from the abovenamed William Davies, his heirs, executors, or administrators, to the abovenamed Rakapa Kahoke and Karanama te Kapukaiotu, their respective executors, administrators, or assigns, of three hundred pounds, and interest at the rate of five pounds per centum per annum, in manner following, (that is to say): the said principal sum of three hundred pounds on the fifth day of January, one thousand eight hundred and seventy-seven, and the said interest to be paid on the said sum of three hundred pounds by even annual instalments, until the said principal sum shall be repaid, on the fifth day of January in each and every year. And it is agreed that no action, execution, or other process or legal proceedings shall be commenced, sued on, or prosecuted against the said William Davies, his heirs, executors, administrators, lands, goods, and chattels, upon any action to be taken to recover the said sum of three hundred pounds and interest to become due thereon on default of any payment of any instalment of the said interest, or of the said principal sum of three hundred pounds as hereinafter mentioned: and further, that it shall not be necessary for the said Rakapa Kahoke and Karanama te Kapukaiotu, their executors, administrators, or assigns, to revive any such judgment, or to do any act to keep the same on foot, notwithstanding it shall have been entered of record for one year and upwards; and it is further agreed that in default of payment of the said principal sum of three hundred pounds, or of the interest thereon, at any or either of the days or times hereinbefore appointed for the payment thereof respectively, then and at any time after thirty days shall have elapsed from the time of any such default as aforesaid, it shall be lawful for the said Rakapa Kahoke and Karanama te Kapukaiotu, jointly or severally, their or either of their heirs, executors, administrators or assigns, to bring such actions or suits at law or in equity, as they may be advised, to recover the said sum of three hundred pounds and interest or any part thereof.

Signed, sealed, and delivered by the said William Davies, in the presence of—CHAS. H. BORLASE, articled clerk to C. B. Borlase, Solicitor, Wellington, and D. COCHRANE, Wellington, clerk to C. B. Borlase.

(Signed) W. DAVIES.

Signed by the said Rakapa Kahoke and Karanama te Kapukaiotu (the same having been first interpreted and explained by me) in my presence, JAMES HAMLIN, Interpreter.

(Signed) RAKAPA KAHOKÉ.
KARANAMA TE KAPUKAIOTU.

No. 2.

Copy of KARANAMA'S Statement.

Native Office, 20th August, 1867.

KARANAMA states that he gave £300 to Mr. Davies (bookkeeper to Cobb and Co.), on December 25th, 1866, to take to Wellington, to put in the bank. He gave Davies no power to deal with it otherwise. Davies asked him for the money, and said when the Native came down he should put it in the bank. When Karanama, with his wife Rakapa, came down on Saturday, the 5th of January, Davies said he should go to a lawyer. Mr. Hamlin acted as interpreter. Karanama proceeded to say, when we got to the lawyer's the deed was made out, but we did not see the money. Davies said he had lodged it in the bank; but we recollected that it had been agreed at Otaki that this should not be done till we were all three present. The deed was interpreted to us, and then it occurred to me for the first time that the money had gone wrong.

At a recent sitting of the Court at Otaki, I took the deed to Major Edwards, who told me it was not done correctly. We knew Davies well, and I signed the deed at my wife's instance, because we trusted him. I have had misgivings ever since. I have written to Davies, but have received no reply. I am very anxious to have the matter put on a safe footing.

W. ROLLESTON.

BOND GIVEN BY WILLIAM DAVIES.

No. 3.

Copy of a Letter from the Hon. J. C. RICHMOND to Mr. BORLASE.

(No. 468-1.)

Native Secretary's Office,

Wellington, 23rd August, 1867.

SIR,—

A bond, of which I enclose a copy, has been brought to the Native Office, by a Native named Karanama, with a request that he may be advised as to the course he should pursue in respect of the arrangement to which it refers, of the precise nature of which he would appear from his own statement to be scarcely aware.

As the bond in question bears your name, I feel assured that you will desire to be informed of what has been alleged by Karanama.

I accordingly enclose a copy of Karanama's statement, as you will doubtless wish to offer some remarks upon it.

I have, &c.,

C. B. Borlase, Esq., Solicitor, Wellington.

J. C. RICHMOND.

No. 4.

Copy of a Letter from Mr. BORLASE to the Hon. J. C. RICHMOND.

SIR,—

Wellington, 29th August, 1867.

I am in receipt of your letter of the 23rd instant, concerning a bond given by Wm. Davies to Kahoke and Karanama.

This bond was drawn by me solely in accordance with Davies' instructions. It appears that when he came to sign it, he brought with him the two Natives in whose favour the bond was drawn. It was then thought advisable and I think rightly, although I was not present, that the nature and words of the bond should be explained to the Natives before its execution. This was done by Mr. Hamlin.

As to any understanding between Davies and the Natives, other than the terms of the bond, I never heard of it.

I have, &c.,

J. C. Richmond, Esq., Native Secretary.

C. B. BORLASE.