

1074. Did I ever, to your knowledge, charge a single penny for my work done in connection with *Mr. C. E. Nelson*. the estate?—Never.

Aug. 17, 1880.

1075. Have you seen the parties who owned the block at my house from time to time?—Yes.

1076. Who fed them?—Your parents did.

1077. Were the Natives charged for that?—That I do not know. I should say not.

1078. Do you remember my telling Judge Rogan, when he asked me to become a trustee in the estate, that I would do so, but it would prevent my charging my professional fees?—I do not.

1079. These transactions took place in 1874?—Yes.

1080. When did you first hear that the transaction was impugned by Adam Clark?—I heard indistinctly from Mr. Brissenden: he wrote a letter and wanted me to give him particulars.

1081. When was that?—I think it was 1875 or 1876, or somewhere about that time. I did not reply to the letter. I did not want anything to do with it.

1082. Was that after he left the Government service?—Yes—after Brissenden had left. Brissenden and I were not very good friends then, and I thought he had better fight his own battles.

1083. You paid Adam Clark the £200?—I did.

1084. In the bank?—Yes.

1085. Did you take or receive a single penny of the money?—I have already told you not a shilling.

1086. *Sir William Fox.*] There is one thing you have not made clear, and I want information upon. That is, What is the reason that Adam Clark got this cheque from Mr. Brissenden? It seems to me this cheque only required his own signature and that of Mr. Sheehan to enable him to go to the bank to operate on the account which he had there. Why was Mr. Brissenden's money paid at that stage?—You ask me to give reasons. I can only give my impressions. My impression is that Adam Clark wanted to get away, and that he had told Mr. Sheehan and Mr. Brissenden that he wanted to get away, and that Mr. Sheehan would not give him a cheque unless some one was present who understood Maori. Mr. Sheehan spoke Maori at that time, but not nearly as well as he does now. The bank would close at 3 o'clock, and this was 2 o'clock. The reason Brissenden gave the cheque, I presume, was to enable me to draw the money and pay it to Adam Clark.

1087. Would it not be as easy to get Mr. Sheehan's signature, and let Adam Clark sign and get the money himself?—I think so.

1088. You do not know any reason why that should not have been done?—No.

1089. That seemed to be a reasonable way in this case?—If the two had signed the cheque, that seems to me to be the only possible course.

1090. You cannot understand any more than I can why Mr. Brissenden should have been gone to for the money?—Adam Clark wanted to get away. Mr. Sheehan asked me if I had seen Adam Clark. He said Adam Clark was bothering him for money, and he would not give him any unless an interpreter was present. I speak from memory. Brissenden said, "I will give a cheque for the money if you cannot find Adam Clark; then you can draw the money and pay him after bank hours, and then get Adam Clark to sign a cheque for the amount."

1091. Did Brissenden say that?—He said that in Mr. Sheehan's office, I think.

1092. You have told us of several things which you believed to be so-and-so, and then you have told us that you do not remember about it?—I know, when I state facts, that they can be supported by evidence.

1093. You have stated on more than one occasion, "I believe such-and-such a thing, but do not remember anything about it." What is the distinction you draw between believing a thing and not remembering it? How can you believe a thing if you do not remember it?—I do not think I said so. In reference to what matter did I say so?

*Mr. Sheehan:* The witness said, after seeing the bank slip, he believed he did go there and pay the money.

1094. *Sir William Fox.*] I repeat the question. I want to know what value is to be attached to your recollection in these matters?—If I have said I do not know, but I believe, it would imply that it is simply my impression. It is six or seven years ago since these matters occurred.

1095. Was Adam Clark present when Judge Rogan asked Mr. Sheehan if he would be trustee in the case?—No; it was in my own house. Mr. Sheehan and Mr. Rogan were present, also my wife and I.

1096. Now, as to this cheque, which is signed by Adam Clark and Mr. Sheehan, for the £200, would you be so good as to look at the handwriting, and all the different pieces of penmanship, and tell us whose handwriting they are? There seems to be more than one handwriting?—John Sheehan and Arama Karaka. They are respectively written by themselves.

1097. How about the "two hundred pounds"—whose writing is that?—That seems to be Brissenden's. I think so. It seems to be. I am not sure.

1098. The rest is Mr. Sheehan and Arama Karaka's?—I think that is Mr. Brissenden's.

1099. You spoke positively about Arama Karaka's handwriting: have you ever seen him sign?—Very often. I have a good deal to do with Natives and paying away money.

1100. Have you seen him sign?—Yes.

1101. You think in all these cheques that is his handwriting?—I think so.

1102. But do you not see a marked difference in this handwriting? Look at that one? Is that the same as on the previous cheque?—That is Adam Clark's.

1103. Do you see any difference?—It may have been written with a different pen. It has been a larger pen.

1104. But you take that to be his signature?—Yes. There has been a coarser pen used. I am not an expert; but there is a difference.

1105. *Mr. Bowen.*] You say that you have known Adam Clark for a long time?—I have known him for about twenty-two years.

1106. And you say he is a man of untruthful character?—Well, I have found him untruthful in a great many cases, and I gave instances