

## MINUTES OF EVIDENCE.

WEDNESDAY, 11TH JULY, 1883 (Colonel TRIMBLE, Chairman).

PIRIPĪ WHATUIAO, examined.

1. *The Chairman.*] Did you appear before the Court at the hearing of this case?—Yes.
2. Did you get a full hearing?—Yes.
3. Have you applied for a rehearing?—Yes; I applied in this way: I seized hold of my land and never let it go.
4. Have you made any formal applications to the Chief Judge, as is required by the law, for rehearing?—Yes; my son wrote.
5. *Major Te Wheoro.*] Did you write an application to the Chief Judge asking for a rehearing?—No; my son suggested a rehearing. The only rehearing I understood was to keep on the land.
6. *The Chairman.*] Have you any facts to adduce in favour of your title which you did not bring before the Court?—I had not time to finish the whole of my case. There were parts of the evidence which I intended to bring out that I had not an opportunity of doing because of the judgment of the Court being given before I had time. I had merely stated the main grounds on which I claimed, how my ancestors got the ground before me, and that was all.
7. Why did the Court come to a decision without having heard your whole case stated?—The reason was because I was not with the lawyers or the company. I was by myself.
8. What company do you refer to?—The company that is at Cambridge.
9. Who is acting for that company?—Mr. Sheehan.
10. Had you any lawyer acting for you?—No.
11. If I understood you aright, you have not made any application to the Court for a rehearing?—I did demand in Court a reinvestigation of the case verbally, but whether my voice was heeded or not I cannot say.
12. But you made no written application?—No; I did not. My son may have written, but I have never signed.
13. Did you know that it was requisite to send a written application to the Chief Judge if you required a rehearing?—I am quite an ignorant person in those matters. That was the first case in which I appeared in the Native Land Court. For many years past I have been amongst the Hauhaus.
14. *Hon. Mr. Bryce.*] Did you stand up in Court and make yourself heard, so that the Judges would understand you had a claim?—I stood up in Court. I addressed the Bench. They heard me, and what I said was, "I claim the land."
15. Then what happened? Did the lawyer speak, or did the Judge speak, or what?—Immediately after my telling the Court that the land belonged to me the lawyer spoke, and he addressed his words to the Chief Judge.
16. And what did the lawyer say?—The lawyer said to the Court, "I have asked this old man to join in my case, but he will not do so. He wants to set up a separate case of his own on his own ancestral grounds."
17. Joined in the case: I apprehend you mean by that that the lawyer meant that your name should be associated with his clients?—Yes.
18. And did you notice then what the Judge said in reply to the lawyer?—The Judge said to Mr. Sheehan, "How is it he will not agree? On what ground does he refuse to join your case?" And Mr. Sheehan said, "He is anxious to set up a case of his own; to go on his own claims."
19. Did the Judge then decline to take your evidence, and that of your witnesses, as substantiating your claim?—The Court would not listen to what I said. The Court made this remark: that I should have agreed to Mr. Sheehan's proposal; that if I went on my own hook I would suffer.
20. Did not the Court make any inquiry as to the nature of your claims, that is, who your ancestors were, or whether they had been possessed of the land, or any inquiry of that kind?—Yes; and I informed the Court of the ground upon which I claimed. The Court heard my statement as to the manner in which my ancestors originally became possessed of the land, how they defeated those who were in occupation before them, how they occupied the land, how they cut it up subsequently, and how it was occupied by those immediately before my time.
21. Did any other person besides you give evidence to a similar effect?—I was the first one who spoke, but all the others belonging to my hapu also spoke.
22. And gave evidence in support of your claims?—Yes.
23. *The Chairman.*] Who occupies this land now?—I do.
24. Any one else?—My hapu is occupying the land. I told them that, in the event of the block being surveyed, or cut up by surveys, they were not to interfere, but to remain in occupation, as I was going down to Parliament.
25. Is there any other hapu on the land? Yes; there is another hapu living on it—my opponents.