

263. What became of the action. There was reference to the Native Land Court and a report to the Supreme Court. Did you prosecute the action, or discontinue it?—I do not think so. I cannot answer the question. Barnicoat had the matter in hand.

264. Were you present, and did you hear Barnicoat admit to the Native Affairs Committee that the action was still pending?—I think so. I think we can still go on with it.

265. You have done your best to try and get this business settled without lawyers, over and over again?—Yes.

266. You say Kemp said, "To settle this matter, Warena and I will take 8,000 acres between us, and give 7,000 to the tribe"; and you said, "You take the 7,000, and give the tribe the 8,000"?—Yes.

267. You went on to explain that you meant Kemp to take 3,500 as his own absolute share; that Warena should do the same, and the tribe have the rest?—Yes; that was my meaning.

268. Knowing the whole history of this transaction from first to last, you believe in your own heart that would be a fair and equitable arrangement, if carried out?—Yes.

269. Notwithstanding that Kemp has already received so much consideration at the hands of the tribe—800 acres to pay his debt to Sievwright, a small block which he made a present to the railway company; notwithstanding that he had already got 1,200 acres in his own name at Papaitonga; notwithstanding that he had been receiving very large sums of money in purchase-money and rents: You were familiar with these facts, and you still thought that would have been, under all the circumstances, a fair and equitable arrangement?—Yes; but I did not think but that Kemp would have given Warena a fair portion of the rent. I may also state that the 800 acres I do not think ought to have been taken into account, because, I think, that was a voluntary gift from the whole of the tribe who had any interest in it.

270. Notwithstanding that certain proposals, which formed the basis of the sale to the Government of the Township of Levin, had not been fulfilled, this would be a fair arrangement between the chiefs?—Yes; but I must also state that I mentioned and advised the people that Kemp ought to have paid all the survey-fees out of the purchase-money of Levin.

271. You knew at the time that he had not done so?—Yes. I may say this: when I took action I found that there was £3,000 in the hands of the Government for Kemp. I immediately wrote to Mr. Mitchelson, as attorney for Warena, telling him to hold it. I did not get a reply—I think Mr. Mitchelson was away for some time—and, when I happened to be going to Wellington, I called upon him, and informed him of the fact that the survey liens were not paid, and the land had been sold for the purpose of paying them finally, and I said I understood Kemp had still £3,000 to get. He said, "Yes; but it is in his own name; I cannot keep it." I said, "Why cannot you keep it to pay the surveys, as he authorised the surveys. The people will have to pay it out of their own pockets." He said he could not do it. I told him I thought he ought to have kept it to pay for the survey.

272. Was that conversation before or after that meeting at which you proposed what you say you thought an equitable settlement?—Before.

273. So that at the time you proposed this "equitable" agreement between the two chiefs you had full knowledge in regard to the £3,000?—Yes.

274. With regard to the purchase by the Government of 1,500 acres of Block 11, you say you held a power of attorney for Warena. Did you, under that power of attorney, suggest the sale of that portion, or did the Government, or some Government officer, propose it to you?—So far as my recollection goes, the first man who spoke to me about getting a portion of the land was Mr. Tregear; he wanted it for a State Farm in about 1892 or 1893.

275. It was after petitions had been lodged before Parliament—Kemp and Warena's counter petitions—and the matter had been referred to the Native Affairs Committee?—No; the first intimation I had was before any petition.

276. In consequence of that, did you do anything?—I spoke to Warena and his brother; they said they were agreeable to sell a portion. Nothing came of it for some time. Then I was approached by Mr. Sheridan, in Wellington, about 1893; he said the Government were anxious to buy a portion of this land. I said, "I think Warena will sell." I was then holding his power of attorney. I did not come to terms with Sheridan then. I asked then £5 an acre; he said it was a very big price. He did not say how much they wanted—from 1,000 acres to 2,000 acres; he indicated the portion of the block—the site of the present State Farm. Nothing came of that negotiation. The next intimation I had about it was from Mr. J. G. Wilson, not very long after. He said he had been talking to the Minister of Lands, and that the Government were anxious to get a bit of land. He said he thought it would be a good thing to get it as the country was locked up, and the people of Levin were bringing pressure to bear on him to try and get some of the land cut up to open up the place. I said, "I will do my best to get the land for you, but it must be understood that it is not to interfere with any buildings or cultivations of the tribe."

277. Although you were acting under power of attorney, you held that you had to protect the interests of the resident Ngatipariri?—Yes.

278. What was the next step?—Mr. McKenzie, Mr. Carroll, Mr. Wilson, and several others came up, and I with them, and went towards the bush till we came to the Native settlement. We met Hoani Puihi there.

279. Did you arrange terms with the Minister on that occasion?—I arranged terms with Mr. Sheridan. I went to the Minister once, and he told me, "Anything you have to do, you must do it through the Land-purchase Officer; I have nothing to do with it." He was not in the party.

280. Did the Minister indicate how much he was going to buy?—They wanted more if they could get it, but, on consulting the Hunias, we decided that they would not sell any more than 1,500 acres.

281. Shortly after that you went to Wellington, and arranged with Sheridan?—Yes.