

ferred to Mr. Sievewright; 1,200 acres to Major Kemp, to be transferred to Ngatiraukawa; 1,200 acres to Major Kemp, in substitution, in case the first was not accepted by Ngatiraukawa; 4,620 acres to Major Kemp, to be transferred to the forty-four persons omitted by the Court in 1873." Is that correct?—Absolutely.

3. In 1886, you had considerable experience in connection with Native matters in connection with the Court?—Yes; on this coast only.

4. I am justified in saying you were conversant with the Native land statutes in force at that time?—Yes.

5. Did you, or did you not, know in 1886 that the Land Court had no jurisdiction, under the Act of 1880, to make a trust?—That was my opinion of the Act. It is a question whether there was any outstanding equity of any description, and I told the Maoris so.

6. Was it referred to the Court?—Not that I recollect.

7. There was an objection to Kemp alone being put in No. 11 outside?—Yes, at the meetings.

8. Were there a number of objectors?—The principal objector was Wirihana Hunia, but it is easy to understand that he had supporters.

9. Are the homes and occupations of the people in No. 11 extensive?—I do not think so.

10. Outside the homes and cultivations, what is the description of the land?—There is open light land, fernhills—sandy fernhills—very nice sheep country. Then a quantity of marsh and swamp, a lake, of course, and sandhills down to the sea. There was previously the natural opening where Levin now stands, but that is chiefly in Block 2.

11. The general portion of the block where they lived and cultivated is very limited?—Yes; in proportion to the total area of Block 11. But I should say there was also a considerable extent that had apparently been cleared long ago, and was now in grass—old Maori gardens.

12. It has been stated by Kemp, and I understand it is contended that Section 14 was cut off really and left for Kemp himself: you being present, can you give any reason why Section 14 should be cut off for Kemp alone? It is stated that, when the Ngatiraukawa took No. 9, this division was left for Kemp?—It never was so left that I know of, and it could not have been previous to the rising of the Court of 1886, and I am not aware it has ever been done since. Sir W. Buller made this statement before the Bar of the House: "Mr. Carroll asked, Was not the Horowhenua Block 14 set apart by the tribe, and put in the name of Major Kemp for the Whatanui family?—It was first of all cut off by Major Kemp and offered to the descendants of Te Whatanui, but they refused to accept it. Major Kemp gave them another selection, and it was agreed that he should keep this as his own allotment."

13. Is that correct?—I say it is incorrect, both first and last. That is to say, it was not cut off by Kemp, nor at his suggestion; it was cut off by the Ngatiraukawa. That part of the statement is true; that the Ngatiraukawa rejected it, is not true. It was intimated by Neville Nicholson that he would not accept it, but that was all. That, upon the acceptance of No. 9 by the Ngatiraukawa, it was agreed that Kemp should keep it for himself, is not correct, so far as I know, nor had No. 14 been rejected by the Ngatiraukawa during 1886. Anything since then, I am not aware of—either their acceptance or rejection. It was not done in 1886.

14. Another question in reference to the pamphlet: "When the Whatanui family accepted another block in place of Block 14, why was not Block 14 returned to the people?—Because the people agreed that this should be Major Kemp's allotment." Is this correct?—Not that I know. It was not so agreed in 1886. It could not have been, because I applied for the order for No. 14, and I would not have applied for it had it been as stated there.

15. You are clear that you applied for an order in No. 14?—Yes; I am trying to speak the truth, and if the books of the Court show that I did not apply, my memory has failed. I am speaking what I believe to be the truth, but I will give in to the books.

16. Can you say the Natives understood that if No. 14 was not taken by the Ngatiraukawa, it was absorbed in No. 11?—I do not know that it was actually understood that it should be absorbed in No. 11, but it was to go back to the Muaupoko. I presume it would have gone into No. 11 as a matter of course.

17. You know Mr. J. G. Wilson is one of the heads of the Opposition?—Yes.

18. *Sir W. Buller.*] You are also aware that he is very friendly with Mr. McKenzie, the Minister of Lands?—I do not know it; I have heard Mr. Wilson say that Mr. McKenzie was a very popular man in the House.

19. You say, as you understood the agreement at the meeting before the sitting of the Court, that 14 was to remain in Kemp's hands, as an alternative offer to the descendants of Te Whatanui; and if rejected by them in favor of No. 9, it was to revert to the tribe, to be absorbed in No. 11; but you are not quite clear?—No; I am not.

20. You said, "I presumed it would have gone into No. 11"?—Yes.

21. That being so, you must have understood that No. 11, into which it would be probably absorbed, was the property of the tribe?—No. When I said that No. 14 would revert to the tribe, I did not understand nor believe that it would be possible to rescind Kemp's absolute title. I thought the land was vested in him for all of them, and if he chose to make some other disposition, it would be within his legal right for him to do so. But I presumed, and fully believed, that if it was rejected by Ngatiraukawa, Kemp would dispose of it in some way in the interests of the tribe. He would still hold it as chief.

22. Do you want the Commission to understand that you looked on No. 11 as held by Kemp and Warena as chiefs for the benefit of the tribe?—Yes; I understood they were bound by obligation to the tribe.

23. You mentioned yesterday that you had heard there were chiefs higher in rank than Kawana or Kemp, and you mentioned two names—Taeuki and Taiweherua?—Yes; the old Taeuki, father of the present Taeuki.