

188. Then, there was a discussion before you came into Court about the promise Kemp had made in regard to the descendants of Te Whatanui?—Yes.

189. Did Kemp then tell you he had promised Sir Donald McLean that he would give them 1,200 acres in the block?—Yes; I was there when the arrangement was made between Kemp and McLean.

190. Did Kemp then propose to cut off the 1,200 acres at Papaitonga, in Block 14, to satisfy that agreement?—Yes.

191. Was Block 14 then given to the descendants of Te Whatanui or not?—Yes; at Palmerston.

192. Did they accept it?—No; they did not agree to it.

193. When you say it was offered to them and they did not accept it, to whom do you refer?—Neville Nicholson, and others.

194. How did you know they refused it, then?—They said plainly they would not accept it.

195. Where did they say that?—It was not at the meeting-house; it was about the town. It was not said to the Muaupoko.

196. Who offered the land to them?—Kemp.

197. Were you present?—I was never apart from him; I always followed him wherever he went.

198. Did Nicholson and his friends say they would think about it, or was it an absolute refusal?—They said they would not agree to that part. What they wanted was to have part of the land at Hokio Stream, to include eel-weirs and part of the land at Papaitonga.

199. What did Kemp say to that?—Kemp would not argue the point with them at all, but he promised to lay off a second piece.

200. How many acres?—There was another 1,200 acres adjoining the 100 acres shown on the plan—making in all 1,300.

201.—Did you see Mr. Lewis there at that time?—Yes.

202.—Did you have any talk with him about this arrangement you were making to satisfy the arrangement with McLean?—No; I did not say anything to him.

203. Did you hear Kemp say anything to him?—No; I must not tell lies, as others do.

204. When Kemp assigned this portion of 1,200 acres near the lake to Nicholson and his friends, did they accept it?—They did not object to that—that is, the persons who were living at Horowhenua. I did not hear them object.

205. Did you look upon it as finally settled that this was to be their 1,200 acres?—They did not object; they remained silent. I thought so, because they did not object as they had to the block at Papaitonga.

206. Application was afterwards made to the Court to have Papaitonga vested in Kemp?—Yes; that was afterwards; it was after they had not objected to the other. But this land was Kemp's; it was his land from his ancestors down to him.

207. You heard him apply in Court for a certificate in his own name?—I did not hear him do that.

208. Did you not hear him ask for the certificate?—No; I did not hear him do that, but we thought the land was his all the time.

209. Do you know that the Court did afterwards award it to him?—Yes; I know that.

210. For what was the award of Papaitonga made, in your opinion? Was it for Kemp himself, or for him to give back to the Muaupoko, if the descendants of Whatanui were satisfied?—I say it is very foolish to say he should return it to the tribe; it is for him to say who shall be put in it. He spoke of some persons the other day to be put in. Well, it is for him to say who shall be put in and who not.

211. Was Block 12—the mountains—arranged in your Committee?—Yes; it was put in the name of Ihaia Taueki.

212. Was that done at your meeting?—No; we did not agree to that. I contended that I should be a *kaitiaki* for my hapu, and Hoani Puihi contended that he should be *kaitiaki*. Others said that Himiona Kowhai should be the trustee. It was not finished. Then they went to the Court, and Raniera withdrew it, and left it to Ihaia. He said, "Let Ihaia be the *kaitiaki*," and there was no objection.

213. Does Ihaia hold this as his own land or as *kaitiaki* for Muaupoko?—He holds it for us, as *kaitiaki* for Muaupoko, but the law may turn it over and say it is his only.

214. Do you remember the circumstances under which No. 10 was arranged?—It was given to Kemp in connection with some money due to Sievwright for work done about the lands at Wanganui.

215. Was it a free gift from the tribe to pay this debt?—Yes; it was agreed to heartily by the whole tribe. It was Kemp and Wirihana who took us into a publichouse, and it was there we agreed to give this land to Kemp.

216. Was that discussed at your meeting?—Yes.

217. Was it agreed to by every member of the tribe?—No person objected.

218. It was done out of pure *aroha*?—Yes; for fear he might be taken to prison for his debts.

219. Now, with regard to No. 11, the large block with your homes, cultivations, and burial-places: is it not a fact that this block comprises all the means of subsistence the Muaupoko have—Their fishing-grounds, cultivations, gardens, &c.?—Yes; they are all there.

220. That is the land on which you and most of the Muaupoko were born?—Yes.

221. That is the block where all your elders were born?—Yes.

222. And in this block lies the Horowhenua Lake, on which you have subsisted all your life?—Yes; on the eels and shell-fish.