

168. For himself or people?—For the whole of them; and I said, “I will retain 3,500 acres for myself.”

169. Did you mean for yourself and family?—I did not intend to retain for myself at all. I said it to induce Warena Hunia to accept the 3,500 acres for himself and his people. I had no intention of retaining the other for myself; I intended to give it back to the tribe. I said, “Well, Mr. Baker, you can make that arrangement, if you like; I shall not go to the right or left of it. If Donald Fraser agrees to accept this, well and good. I shall make no more offers. I am quite tired of the legs of this dispute.” Next day we came back to Palmerston, and I spread a map before us (not in the Court) to try to come to some arrangement. Then they wanted to cut the eyes out of this country for themselves, and to leave the bush and the sandy and worthless parts of it for the tribe. I said, “That will not do; you must take it right across the block.” There was nothing done. They would not agree; and they threatened, and said, “Well, you will see; wait.”

170. Who were the Judges at the rehearing?—Judges Mair and Scannell.

171. Did they confirm the judgment of the previous Court?—They said they could give no decision about it, because there was something wrong about the law. They could see quite plainly that the land belonged to the tribe.

172. What action did you take after that in the interests of the tribe? Did you petition Parliament?—I sent in a petition to Parliament concerning the Horowhenua Block.

173. Did you petition two or three times?—I put in either two or three petitions, and I got you to act for me.

174. In the end, what did you do?—The case was taken to the Supreme Court.

175. Did you get a judgment which was appealed against?—Yes.

176. What was the result of the Court of Appeal?—They confirmed the decision of the former Court, and I said I had won. Then I heard Mr. Morison say that he would send the case to the Court in England, and I was very willing that it should go there, because that would have ended it. After a long time the result is this Commission sitting here now.

177. *Mr. McDonald.*] You say that the most recent negotiation was that you should take 3,500 acres, that Warena should take 3,500 acres, and that the balance of Block 11 should be for the tribe?—Yes; that is so.

178. With regard to Block No. 2, you recollect my going to Wanganui to see you in 1886?—Yes.

179. We afterwards went to Wellington, and met in Wellington, did we not?—Yes.

180. You submitted a proposal to the Government involving the sale of 4,000 acres to the Government?—Yes; you induced me to. You enticed me to Wellington on the pretence of getting sleepers for the railways, and when you got to Wellington you proposed to me to sell 4,000 acres to the Government.

181. Do you remember you and I going to Mr. Lewis's office and handing to him a written statement of the conditions on which you were willing to sell?—Yes; one of the conditions was that there should be quarter-acre sections allotted to the Natives.

182. This 4,000 acres was to be a township?—Yes.

183. The name of it was to be Taitoko?—My proposal was that it should be called Taitoko. There was to be a very fine garden in the township—finer than the square at Palmerston.

184. You and His Excellency the Governor were to be the trustees for the township until the town had a Mayor and Council, when it was to be transferred to that Council?—Mr. Ballance objected to all these things.

185. Did he object then?—Mr. Ballance afterwards saw it would not do for the Europeans and Maoris to live together, and therefore it was all swept away.

186. Another condition was that there was to be a reserve for a Courthouse?—Yes; but Mr. Ballance objected to that. He wanted the town to be further up.

187. Another condition was that there was to be a reserve for a school, and it was specially provided that this school should be for Maori children as well as for European?—Yes; but that was also destroyed by Mr. Ballance.

188. Was it not a further condition that the township should be surveyed forthwith by the Government, and that every tenth section should be returned to the Maoris of the Muaupoko Tribe to be named by you?—Yes; that was also said; but that was also thrown to one side by Mr. Ballance.

189. This paper, having been submitted to Mr. Lewis, do you remember writing to Mr. Lewis to this effect: “If the Government agree to these conditions, I will agree to apply for a partition of this block”?—I have no recollection of it.

190. Was not the whole purport of our visit to Wellington to induce you to make application for a partition of this block?—No; I did not understand that. I understood we went up there, and when we got to Wellington we made an arrangement about the township, but not for cutting up the block.

191. You applied to partition this block on that occasion in Wellington?—Yes; to divide the whole land.

191A. You told us you were ill after this application was put in?—Yes.

192. Ultimately the Court met at Palmerston?—Yes; when I got a little better.

193. You and all the Muaupoko assembled there?—Yes; some of the Te Whitiites did not go.

194. Did you hear me state to the assembled Muaupoko the terms upon which you proposed to sell these 4,000 acres?—Yes.

195. It was your own proposition, and you got up and told the Natives what it was; you were the conductor of the matter. You admit that the terms were to be that every tenth section was to be returned to the tribe?—Yes; that was all arranged.