

292. Do you know why Kemp's name was not put in for 105 acres with the others?—I think it was understood that he had plenty of land in his name.

293. What was the land down in his name then? You said the 4,000 acres was under strict conditions?—The 800 acres and the railway.

294. Did the fact that he was getting an absolute gift of 800 acres and the railway line operate in the minds of the people?—Yes; I think so.

295. You say you did not dispute the title of the Government to No. 2; you put it into Kemp's hands on certain conditions, and yet you do not consider you can go to the Government and say it was a fraudulent transaction: what does this mean?—It was not the fault of the Government; the fault began with Kemp. The Government behaved honourably, and paid Kemp £6,000, and the land was theirs.

296. Therefore, you consider Kemp's title was absolute, and he made over an absolute title to the Government?—Yes; the Court confirmed the title.

297. You say that in the case of No. 2 the conditions were plainly stated on which it was given to Kemp. In No. 10 there were no conditions, but it was an absolute gift?—Yes.

298. What were the conditions stated upon which No. 11 was given to Kemp and Warena?—They were given to them on the same conditions.

299. Was it the same as Block 2 or as Block 10?—No. 2 was different; there was an arrangement made about that before.

300. Do you remember being present at the Native Land Court of 1890?—Yes.

301. That was a Court for the purpose of allocating the sections of No. 3, and partly to partition No. 11, was it not?—Yes.

302. Were you present at certain negotiations at meetings which took place while the Court was sitting?—Yes.

303. Warena Hunia was represented by Donald Fraser, was he not?—Yes.

304. Did you hear and consider proposals made by Kemp on one side and Donald Fraser on the other?—Yes.

305. What proposals did Kemp make?—That they should give some of the land to Muaupoko.

306. What was the extent of their area?—Donald Fraser wanted Kemp and Warena to agree to give the Muaupoko 8,000 acres, and that Kemp and Warena should retain 700 for themselves.

307. Are you sure about the 8,000 acres?—Yes; I think so.

308. Was it proposed to give this 8,000 acres to the whole of the persons on the list of 1873, or only to some of them?—To those whom they pleased. It was nearly settled that way, and then they came back to Horowhenua to a meeting.

309. When did you first hear the word *kaitiaki* (caretaker) applied to Kemp and Warena, or to either, with respect to this block?—At the Court at Palmerston; in 1890, I think.

310. Did you hear that word applied to them before the proposal to give the tribe 8,000 acres or afterwards?—It might have been before, or it might have been after.

311. If they were *kaitiaki* how could they give 8,000 acres to anybody?—They were not there as *kaitiakis* in that block.

312. Were there many of the Muaupoko present at the Court and about the town then?—Yes; a great many.

313. Did you hear of any single person of the Muaupoko then present in town or before the Court suggest that 8,000 acres was too little?—No.

314. I wish to be sure of this. You did not hear any one object?—No; I did not.

315. You were a member of the tribe, and you did not hear any Muaupoko object to this 8,000 acres which it was then proposed to give back to Muaupoko, on the ground that it was too small?—No; nor did I say anything myself.

316. You were asked why steps were not immediately taken by Kawana, by way of protest against the certificate of 1873, to ask for a rehearing or something. Are you not aware that all this district was excluded from the operations of the Native Land Courts Act for several years?—I know that.

316A. Did you ever hear any suggestion made by Kemp about No. 6?—Yes.

317. What did you hear him suggest?—When there was a meeting held on the other side of the Horowhenua, Paki te Hunga asked a question of Kemp: he said, "What is your idea about No. 67 to let the land be subdivided amongst the 44"? Kemp said in reply, "I think No. 6 had better be given to me for myself, so that I can think about giving the land I hold in No. 11 to the tribe"—*i.e.*, Muaupoko.

318. Kemp's proposal was that No. 6 should be handed over for himself, and he would then consider the tribe in No. 11?—Yes; to give a portion of it to the tribe.

319. Can you give us any idea of the date of this meeting at which that was said?—It was in 1891 or 1892.

320. The question was asked by Paki te Hunga?—Yes.

321. You are the person whose dealings are binding upon your brother. Do you now admit, freely, fully, and without reserve, Warena's and Kemp's obligation as chiefs to provide for all those people who are living on Block 11, by transferring to them, under proper title, adequate proportions of the estate?—That would be the Native custom to do so. The land is theirs, the tribe is theirs, and they should make provision for the tribe; they are the chiefs of the tribe, and, according to Native custom, they should take care of the people. If they do not do it, there is a name that is ready to be fixed upon them, and that would be "heartless, selfish, and greedy people."

322. How would you propose to find the proper persons in the Muaupoko to whom this land should be given?—The land is theirs; the tribe is theirs, and they must choose out of the tribe people to put on the land.