

held in the house of Ngatiraukawa. They did not attend our meetings. I was not present at any meeting between Kemp and descendants of Whatanui. I remember sitting of Native Land Court at Palmerston in 1890 to deal with the Horowhenua Block. I think Wirihana Hunia and others were the applicants. I attended the Court and gave evidence before it. The application before the Court related to Horowhenua No. 11. It was awarded to the two people only. I am not clear what else was done. The tribe objected to the decision that the land was for the two people only. By "we" I mean the Muaupoko. Notwithstanding our objection, the Court divided the land, No. 11, between the two persons in the title for themselves only. We did not agree that it should be so, and had a Maori meeting about it at Pipiriki, Horowhenua. Kemp, Wirihana, and, I think, Donald Fraser were present. All of the Muaupoko were there. The meeting lasted a week. Nothing definite was done. Kemp's contention was that the land belonged to the tribe, and that he was only a trustee for them. Warena Hunia denied this, and said that the law had given it to Kemp and himself for themselves only. Kemp made a proposition to the tribe; Warena Hunia did not. I repeat that there was no definite outcome of the meeting. An application was made for a rehearing of the partition of No. 11. We also petitioned Parliament. Kemp applied for a rehearing, which was granted, and the case came before two Judges—Judge Scannell and Judge Mair. Kemp appeared in the Court in that case. I was also present at the Court, and spoke. It was again urged by the tribe that the award to the two chiefs only should be set aside or reversed. I do not remember what the end of the case was. I do not know that the land was given back to the tribe. The Judges were brought to Horowhenua to inspect No. 11. The tribe again met at Pipiriki. The whole of Muaupoko assembled, including Kemp and either Wirihana or Warena Hunia. I cannot be sure whether Donald Fraser was present or not. The meeting lasted about a day, I think, and there was no result. The Court had not given a decision. I remember a case in the Supreme Court—after the meeting—in which Mr. Edwards appeared. Major Kemp brought the action. I attended the Court, and gave evidence. The case was concluded in Wellington. The judgment of the Court upheld the contention of the tribe. Our claims to the land were recognised by it. I was one of the speakers at the meetings I have referred to. I do not know of any other divisions of Horowhenua than No. 11 being discussed at the meetings. I have heard it is contended by some people that Kemp holds No. 14 in trust. I deny it, because it was set apart by the people for Kemp when all the other divisions were made. I did not hear it asserted before the Horowhenua Commission that Kemp held No. 14 as trustee. You are in occupation of Papaitonga now. I don't know how long you have occupied it. I have heard that Kemp has sold a part of Papaitonga to you, and that he has leased the balance of it to you. I heard that the timber on it was sold to Peter Bartholomew. I have never demanded from Kemp any share of the purchase-money, rent, or royalties. I have never heard that any members of my tribe have made any demand for a share of these moneys. I did not hear at any of our meetings any one make any claims for No. 14 or for any of the proceeds from it. I heard Waata Muruahi give evidence before the Royal Commission. [Horowhenua Commission, page 275, questions 290 to 298, and replies, read.] Those statements are untrue, in my opinion. I did not hear any statements of the kind at the meetings.

*Mr. Baldwin* asked, with permission of McDonald and Stevens, to cross-examine this witness before them.

Cross-examined by Mr. Baldwin.

*Witness:* I said that in 1886 No. 11 was set apart as a tribal reserve. That is, for the residential owners—the Muaupoko Tribe—the persons I considered the real owners of the 52,000 acres. The Ngatikahungunu, and Ngatiapa, and Rangitane in the title had no right to take part in the division of the land—nor did they. The persons living on the land were the people who took part in the division of the land in 1886. They and they only. The Ngatikahungunu, Rangitane, and Ngatiapa took no part whatever in the division. The bulk of the residential Muaupoko were present at the division in 1886. A few were at Parihaka. A few of the registered owners were dead in 1886. Many of them were dead. Most of them—men and women. Some of the successors to deceased persons were children. Those I was concerned with were all grown up. McDonald did not attend our meetings in 1886 that I remember. I was under a misapprehension. Alick McDonald attended sometimes; not always. Palmerson was not present at any of our meetings. I do not remember McDonald having a tracing of Horowhenua. He did not show it to me. There was no tracing put up in our meeting-house. We had agreed upon certain subdivisions before going into Mangakahia's Court—(1) The railway line; (2) 4,000 acres for township; (3) the 1,200 acres at Ohau. I did not see these subdivisions shown on a map in our meeting-house before we went to the Court. The locality only was indicated by name. Survey was made afterwards. Kemp and McDonald conducted the whole of the proceedings in Court. They may have had a map. The tribe did not see it. The divisions were mentioned in Court. We knew of the locations of Nos. 1 and 2. The 4,000 acres was stated to be for the Government; it was not indicated on the plan. The 1,200 acres was to be at the southern side of Horowhenua Block, adjoining Ngatiraukawa lands. These three divisions were taken into Court, but were not defined on the plan. McDonald applied for order for railway-line. I do not know whether his application was granted or not. I am stating what is the truth. I did not see the divisions laid off on the plan, either inside or outside the Court. We did not see any of the divisions delineated on the plan—neither that for Ngatiraukawa nor any other. I recognised the localities of the different divisions by their Maori names. I repeat that I never saw the 1,200 acres at Ohau delineated on any plan at the Court of 1886. McDonald was acting as conductor for Kemp in the Court of 1886. I have already stated that McDonald went into Mangakahia's Court and applied for three orders—(1) for the railway; (2) for the township; (3) for the 1,200 acres at Ohau, for the descendants of Whatanui. I do not know whether the orders were made or not. At Mangakahia's Court it was intended to