

KEEPA TE RANGIHIWINUI, cross-examination by Mr. Stevens continued.

*Witness* : I do not remember telling Judge Wilson in 1886 that my debt amounted to £800 when I applied for No. 10. I do not remember telling Judge Wilson that I owed £800; that was not the amount of my debt. I told the people what I owed. I did not tell Judge Wilson that I owed £800. No one told Judge Wilson that I owed £800. Palmerson came to Horowhenua to value the land after it had been arranged that the people should relieve me of my burden. About the time of the Court I told the people outside the Court what I owed, and that I would ask Palmerson how many acres would be required. He decided that it would take 800 acres, and told me so. No. 14 was awarded to me for my own share. It was the last award made. It was agreed that I was to give part of the proceeds of No. 2 to the tribe. I had no intention to keep the whole of it, but I was compelled to spend it in the expenses of the litigation that was forced upon me. I do not remember whether £3,000 of the purchase-money for No. 2 was still in the hands of the Government in 1890. If I said so at the Court of 1890, I suppose it was. I have not given the £3,000 to the tribe; it has gone in expenses. I kept it to defray the expenses of litigation over this land. Much of it was devoted to paying the expenses of the tribe in Palmerston. No one gave their consent to my retaining the £6,000 for myself. I myself decided to expend it on their behalf. [Vol. 13, page 186.] I have already said I afterwards expended the amount on behalf of the tribe. It was McDonald and Donald Fraser who caused all the trouble over this land. If they had not interfered there would have been no trouble. The tribe consented to my having No. 14. I asked them for it myself, and they consented, because it was my own land. It was not valued. No. 10 was the only block valued. I did not tell the tribe the value of No. 14, or any of the other divisions. McDonald may remember whether the tribe were told the price for No. 2 before the sale; I don't remember. If any of the tribe say that they were told the price I would not dispute. Before the subdivision of 1886 I was trustee for the people; I had power to lease for twenty-one years. I have already stated that I spoke to the tribe, and they consented to my having No. 14. They were all in Court—Rangimairehau, Raniera, Hoani Puihi, Te Kiri, Noa senior, and Noa junior. These are all I remember. There may have been others, or the others may have been outside the Court. There are over a hundred names in the certificate of 1873. It was Muaupoko only who consented to my having No. 14. It was not necessary for the members of outside hapus, to agree. McDonald might be able to say how many Muaupoko were at Palmerston. No. 14 was given to me in Mr. Palmerson's barn. The order was made in my favour in Kahui Kararehi's Court. After No. 13 was ordered. I can't remember whether the order for No. 14 was made in the morning or the afternoon. When I applied for No. 14, some of the certificated owners were dead—many of them were dead. Successors had not been appointed to all of them. It was not necessary to appoint successors to all the deceased owners before a subdivision could be made. Experts did not advise us that this was necessary. McDonald acted for us, and he did not tell us that it was necessary to have successors appointed. The dead owners would have consented if they had been alive. I don't remember how many of the owners died between 1873 and 1886. Kawana Hunia, Te Rangirurupuni, Rewiri Tara, and others died during that period. I cannot name any others from memory. [List of persons said to be dead in 1886, and marked "A" and "B," read out.] All those died between 1873 and 1886. I cannot remember how many of the deceased owners were represented by successors appointed by the Court. I left the tribe to consider the interests of those who had died. Succession order had not been applied for until after the division of 1886. The persons who agreed to the voluntary arrangement were afterwards appointed successors to the deceased. The ancestral claims were not inquired into when the subdivision was made. Some of the deceased owners had good claims, others had not. I did not hear until the Horowhenua Commission sat that any objection had been made to my having No. 14 for myself. It was not necessary for Ngatikahungunu and Ngatipa to agree to my leasing No. 14 to Sir Walter Buller. They have never objected. It is at your instigation that Wirihana objects now. I cannot remember when Sir Walter Buller first asked me to lease No. 14 to him. It was before he went to England. I told him to wait awhile. It was after the division in 1886 that Sir Walter Buller asked me to lease him the land. He wanted my promise to let him have it. I gave him the promise and refused to lease it to other Europeans. I cannot remember whether it was before or after the subdivision of 1886, or where he spoke to me about the lease. I did not make a note of the date Sir Walter Buller asked me to lease the land to him. [Horowhenua Commission, page 242, question 3 and reply read out.] I repeat that I do not remember the date. No doubt Sir Walter Buller was correct. I cannot remember whether I made the promise to Sir Walter Buller before the Court of 1886 sat or after it sat. Under the certificate of 1873 I was trustee till 1886. I told Sir Walter Buller that I would lease Papaitonga to him when the time came. I was the chief of the land. Buller came to me knowing that I was the chief. I have heard that Sir George Grey wanted to acquire Papaitonga, but he did not come to me about it. I cannot remember when I first heard it. I cannot say whether it was in Wellington or Wanganui that Sir Walter Buller first spoke to me about Papaitonga. I only remember Sir Walter Buller speaking to me once. He asked me to lease Papaitonga to him, and I said, "Wait until I get my breath." I did not take No. 14 in order to fulfil my promise to Sir Walter Buller. I did not tell my tribe that I proposed to lease it to Buller. There was no reason for me to inform the tribe, because the land was my own absolutely. It had been awarded to me, with their consent, as my share. No. 14 was my share of the Horowhenua Block. I do not consider that it was all I was entitled to in the whole block. I do not yet know what further area I am entitled to in the whole block. That will not be known until these proceedings are over. I have rights to No. 14 from ancestry, mana, and the strong hand. Signs of the ownership of my ancestors down to my own time are to be