

been telegraphed to Lewis before the Court adjourned. I know it was momentarily expected. I could not say to a day when purport of agreement was communicated to me, but I am quite clear that it was between the 25th November and the 1st December that I was told that it contained the words "near the Horowhenua Lake." I was aware of the purport of the agreement on the morning of the 1st December. I only heard Nicholson addressing the Court once. I do not deny that he spoke more than once, but I do not remember hearing him more than once. I do not recollect that Nicholson said before the Commission that he attempted to address the Court more than once. [Horowhenua Commission, page 163, question 142 (Nicholson to McDonald), read.] The occasion I remember was after Lewis arrived. I do not remember any other. [Horowhenua Commission, page 75, McDonald's evidence, read: "I thought, well, the Ngatiraukawa, if limited to this section," &c.] I admit that I made that statement before the Royal Commission. I must at that time have been aware of the purport of the agreement, but I was not aware of it before the 25th November. What I had in my mind when I made the statement to the Commission was the period between the 25th November and the 1st December.

*Mr. Baldwin* objected to Sir Walter Buller continuing the cross-examination.

*Sir W. Buller* contended that he had a perfect right to cross-examine.

*The Court* was of opinion that Sir Walter Buller should not go over the same ground as Mr. Beddard.

*Witness*: I was telling the Commission what had taken place before we went into Court on the 1st December. [Horowhenua Commission, page 75, "Then the Ngatiraukawa appeared on the scene," &c.] That may have been before we went into Court, but it does not show that I knew purport of agreement. [Further extracts read from page 75.] The land I referred to then was the section we have referred to here as the Ohau section. I would not say whether what you have read referred to a time before we went into Court. No suspicion arose in my mind as to Ngatiraukawa going to Parliament before the 25th November. I can't say exactly when the suspicion arose in my mind, but the first point was given to it by Nicholson's objection in Court. Then, the further information that the agreement had the words "near the Horowhenua Lake" further intensified my suspicion, and I considered it advisable to recommend Muaupoko to lay off the other section. By "the other section" I mean the Raumatangi section. The Muaupoko agreed to my suggestion. We went to the Court on the 1st December with a lot of subdivisions. I used the word "confirm" before the Commission in the sense that the voluntary arrangements required confirmation. [Horowhenua Commission, page 161, question 96, Nicholson's evidence.] I cannot say I remember Nicholson giving that evidence. Mr. Lewis declined to make a choice of the sections, although I urged him to do so. I still adhere to my statement that Mr. Lewis refused in express terms to me to select either section. I am not prepared to contradict Judge Wilson as to what Mr. Lewis said to him. Lewis remained at least one day in Palmerston after the 25th, and I continued to urge him, so long as he remained, to make a selection. I cannot say on what date it was that I made my last representations to Lewis. I am perfectly certain that I spoke to him between the 25th November and the 3rd December. I won't go further than that. I cannot swear that I spoke to Lewis after the 1st December or on the 1st December. It is quite possible that my representations to Lewis may have been at any time after the first section had been dealt with, on the 25th November. It was finally determined to provide a second section, because he would not make a choice. [Horowhenua Commission, page 86, question 112, read out.] I do not remember anything about that incident. I don't remember any meeting between Kemp and Ngatiraukawa, but I have no doubt there were such meetings. I am not prepared to contradict the evidence of Kemp that there were such meetings. I suggested the Ohau section to Muaupoko. I should not have said to the Commission that "I selected it." I am prepared to contradict Kemp if he stated that he first suggested the Ohau section for descendants of Whatanui. It originated with me. Kemp adopted the suggestion, and brought it before the Muaupoko. I don't know for certain how the proposal was made to Muaupoko—whether it was by Kemp or by me for him. I won't undertake to say exactly how it was done. [Letter to *Manawatu Farmer* quoted: "I submitted all these considerations," &c. "These considerations were fully submitted by me to Muaupoko," &c.] I was right in saying in that letter that I submitted the question fully to the assembled Muaupoko. I was not as careful as I would be on my oath, but the paragraph is sufficiently correct for what I had in view at the time I wrote it. I consider that the statements in my letter are correct. It is a fact that the proposals were submitted to the whole of the Muaupoko who were in Palmerston, but they were not all present at the same time. I told them all from time to time. I suggested the Ohau section to them, being influenced by certain considerations which I made known to the assembled Muaupoko, and which they approved. This was before the Court of the 25th November. Between the 25th November and the 1st December it appeared that the Ngatiraukawa objected to the Ohau section. I am not aware that the Ohau section was offered to Ngatiraukawa at all till it was mentioned in the Court on the 25th November. The first proposal to offer the Raumatangi section to the descendants of Whatanui was after the 25th November. Cannot fix the exact date. The Ohau section was approved of by the people, and put on the tracing before we went into Court on the 25th. I am not prepared to contradict Kemp and other witnesses if they say that the Ohau section was offered to the descendants of Whatanui outside the Court before the 25th November. There had been much discussion among Muaupoko over the alternative sections before the 1st December. I can't say whether I stated to Muaupoko all the considerations that influenced me in suggesting an alternative section for Ngatiraukawa. I told them the principal one after I knew it—that is, the condition in the agreement that the land should be near the Horowhenua Lake. I also warned Muaupoko that Ngatiraukawa might go to Parliament to get the original title upset. I don't think it was stated in Court on the 1st December, when No. 9 was before it, that it had been definitely agreed upon as the section for the descendants