

he had consented to what Lewis wanted—that the land should be at Raumatangi. The Assessor had left by this time, and we had to wait for the new Assessor. Kahui Kararehe came as Assessor, and Lewis returned to Palmerston. The Court opened with Kahui as Assessor. I went to the Court. There were several matters brought before it, but I did not pay any attention to them. I was thinking of our own section. I can't be sure whether our section was brought on on that day or the next, but Lewis asked us to meet in the Courthouse, and No. 9 was spoken of. The boundaries were gone into. The most important boundary was that on the Hokio side. I wanted the Hokio Stream made the boundary. Kemp said that it was his wish that 2 chains along the stream and lake should be reserved. Lewis advised me to give way, as the land along the stream would be a reserve for all. I can't say whether this was in the morning or afternoon. The Raumatangi section was put upon your tracing after our meeting. I am not sure whether I could recognise it now as it appeared on your tracing. You and Kemp were insisting on the reserve, and I wanted the river made the boundary. I understood that a line parallel to Hokio Stream was to be the boundary until it reached Ohenga, and was to turn there so as to exclude Ohenga. After the meeting the Court resumed, and made orders for divisions Nos. 11 and 12. I am not quite clear whether it was the first or second day of Kahui's Court that Raumatangi was brought before it. I was present. The boundaries were read out. Kemp's application for an order for it in his own name was read out also. Afterwards Lewis asked me to send in a list of names. There were two 1,200-acre sections cut off, one at Mangakahia's Court and the other at Kahui's Court. I did not think we were to have the Ohau section, because I had objected to it, and the Raumatangi section was set apart for us on my application. Wiremu Pomare was not in Palmerston at the time: his younger brother Hare Pomare was. Kemp did not say anything to us about the elder Pomare. Kemp and I came from Wanganui to Palmerston. I came at Kemp's request, and because the 1,200 acres was to be cut off for us. I first heard Kemp speak of Pomare at the time the Appellate Court sat in 1895. [Horowhenua Commission, page 163, question 135, read out.] Personally I did not object to the Ohau section, but our elders did, and wished to have Raumatangi; so I gave way to them. If I had urged them to accept the Ohau section they would have done so. I have never written to the Government or Kemp saying the descendants of Whatanui would accept No. 9. There was no occasion to do so. As Kemp and Lewis were at Palmerston, I considered I had the right to decide. Karanama, Heni Matene, Henare Roera, Perawiti te Puke, and others I forget were at Palmerston Court in 1886. I did not see Robert Ransfield there: Hunia Horomona was. They came up about the reserves that were spoken of at Waiwiri. I remained in Palmerston till the Court adjourned, and then returned to Wanganui. I did not hear anything more in Court about the 1,200 acres at Ohau. I heard outside the Court from Wirihana and others that as we had not accepted the Ohau section it would go back to the people. Wirihana offered us the section at Ohau for that at Raumatangi, but I declined. Wirihana's reason for wanting to exchange was that the cost of fencing Raumatangi would be so great.

The Court adjourned till the 23rd instant.

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TUESDAY, 23RD MARCH, 1897.

The Court opened at 10 a.m.

Present: The same.

No. 1, Horowhenua No. 14, resumed.

THE OHAU NIKITINI cross-examined by Mr. Stevens.

*Witness:* I have said that I was at the Court at Palmerston in 1886. I was in Palmerston a week or more before the Court opened. I knew at Wanganui before we went to the Court that the 1,200 acres was to be cut off for us by the Court. I knew myself that the 1,200 acres was to be at Raumatangi, but when we reached Palmerston I heard that it was proposed to give it to us at Ohau. It was on that account that I called a meeting of the descendants of Whatanui, and asked Kemp to attend it. I cannot say exactly how long before the 25th it was that this meeting took place, but it was then I ascertained definitely that the Muaupoko had decided to locate our section at Ohau. I was dissatisfied, and did not consent. I wired to Lewis about it after the meeting, because Kemp was determined that we should not have the land near the Hokio Stream. Lewis arrived in Palmerston before the sitting of Mangakahia's Court. We had conversations about the 1,200 acres. I told him that Kemp wanted us to take the land at Ohau, and asked him to urge Kemp to place the land near Raumatangi. I did not hear Lewis speak to Kemp about the 1,200 acres. I was present in Mangakahia's Court on the 25th November. The parcels before the Court on that date were—the railway-line, the township, and the parcel of land at Ohau. I know it was the Ohau section, because I saw it delineated on McDonald's tracing, and I heard also that the land was on the south side of the block. There was nothing said in the Court on that date about the 1,200 acres at Raumatangi. I stood up to ask the Court to place the land at Raumatangi, near our kainga. The Court did not entertain our objection to the land at Ohau. It would not listen to me. I think the Court made an order in favour of Major Kemp on the 25th November. Kemp applied for it in his name to enable him to fulfil his agreement with McLean as to the descendants of Whatanui. I heard Kemp make the application in the words I have given. I then left the Court with the intention of sending a wire to the Government, as I believe we had been unfairly treated. As I went to send a telegram I saw Lewis, and asked him to send for the agreement, because I knew the terms of the agreement. He sent for the agreement. Next morning, or the morning after, he came to our house, and told me he had received it, and that I was right about the parcel of land being near the Horowhenua. We went to the hotel, and he showed me a telegram containing the substance of the agreement, and said he would see Kemp about it. After that I saw Kemp;