

I don't think there was anything else done. I think I was in Court all day. I can't remember whether Kemp applied on that day for an order for No. 14 to himself and for himself alone. I don't think Kemp made any application. You and Kemp were on one side of the table and I was on the other. I believe Kemp said to me, "Let this land be put in my name," and I consented. I did not understand that it was for Kemp alone. I consented because it was decided at the first meeting that he was to hold it in terms of the agreement. I had therefore no reason to object. I did not see Kemp stand up to apply for No. 14 for himself. You made the applications for all the divisions. I deny the statements of Judge Wilson and Kemp that Kemp applied for No. 14 for himself. I did not hear or see him do it. I was in Court on the second day of Kahui's Court. I did not hear Kemp at any time apply in Court for No. 14 for himself. I did not hear him make any application at all. I may be mistaken. It will be found in the books of the Court. I did not hear Kemp claim a right to the whole of No. 14 until the Commission sat. I heard it then. I have done my best since then to have the matter brought before a competent tribunal.

*Henare te Apatari*: No questions.

*Hamuera Karaitiana*: No questions.

Cross-examined by Mr. Baldwin.

*Witness*: I remember giving evidence before the Commission. [Horowhenua Commission, page 56, questions 290 to 294, read.] The 800 acres and the railway were looked upon by me as a fair share for Kemp himself of the land that was divided among us in 1886. I thought it was sufficient for him, because he had no right to this land. We consented to let Kemp have the 800 acres to settle his troubles. [Supreme Court evidence: "Then the land for Whatanui's descendants," &c.] That was the land at Ohau. It was put into Kemp's name to give to these people. That was at Mangakahia's Court. ["As they were not satisfied, 1,200 acres were cut out of No. 11."] I believe that was done by Kahui's Court. ["That the tribe has agreed to, and it was settled."] By "settled" I mean that it was to be put into Kemp's name, in pursuance of the agreement, to be conveyed to the descendants of Whatanui. [Supreme Court evidence, page 33: "The 1,200 acres was the last the decision was given on." That was the land at Ohau. ["It was given to Kemp to give to them before the 1,200 acres had been taken out of No. 11," &c.] That is the conversation with Kemp that I referred to to-day. When Kemp asked me to let the 1,200 acres be put in his name I understood it was to fulfil the agreement between him and Sir Donald McLean, and not to keep it for himself. I am now clear, since I have heard read the evidence I gave in the Supreme Court, that McDonald made an application for No. 14 on the third day of Kahui's Court. When McDonald made the application for No. 14 I thought it was to fulfil the agreement made by Kemp and McLean on behalf of the descendants of Whatanui. We preferred that they should have the Ohau section, and that is why the two sections were left in Kemp's name.

Cross-examined by Sir W. Buller.

*Witness*: I remember now that McDonald made an application for No. 14 on last day of Kahui's Court. I understood that he made the application for all the divisions. I think McDonald made the application in English. It was interpreted into Maori. I remember what the interpreter said—at least, some of it. McDonald got up after Kemp had whispered to me, and I had said, "*E pai ana.*" I concluded that he was applying for No. 14. I think what McDonald said was interpreted. I do not remember what he said. [Vol. 7, page 200, read: "Subdivision 12—Application from Major Kemp," &c.] The application was Kemp's, but McDonald was his mouth-piece. I think he made all the applications to the Court, but I cannot remember the words he used. I think McDonald asked that No. 14 should be in Kemp's name. I did not think much about it, because I understood it was to enable Kemp to fulfil his agreement with McLean. If I had thought that Kemp wanted it for himself I should have said something, because we were then becoming unfriendly. I do not think there was any other business done on the third day of Kahui's Court. I remember McDonald making an application for the railway, but I cannot remember the date. I saw him and Kemp quarrelling about it outside the Court. If the minute-book says an order was made for the railway-line on the last day of Kahui's Court I will not dispute it, but I do not recollect it. I repeat that I did not hear anything about the Ohau section after the first day of Kahui's Court. I meant that I did not hear anything about it on the second day of Kahui's Court. I had forgotten when I said, in reply to McDonald, that I did not hear anything more about the Ohau section after the first day of Kahui's Court. I am not mistaken in saying that the land in Raumatangi had not been accepted by the descendants of Whatanui. I mean the Court to believe that I did not know that the descendants of Whatanui had accepted No. 9 until 1894. I then learned also that Kemp had agreed to convey it. Up to that time I believed that Kemp was holding the Ohau section for the descendants of Whatanui. I knew positively at time of Court at Otaki in 1895 that they had selected No. 9. In 1895 I believed that the descendants of Whatanui had finally selected No. 9, and thought that No. 14 would go back to No. 11 after the sitting of the Court at Otaki. I thought it would go back to Warena—that is, the Ngatipariri. I did not think it would go back to the Muaupoko. I say this because No. 11, of which Raumatangi had formed a part, had been awarded to Kemp and Warena. No. 11 had been divided between Warena and Kemp before 1895, and Raumatangi is in the portion awarded to Warena; therefore, if Raumatangi was taken by the descendants of Whatanui, Warena should have Ohau. I remember the Court of 1890. I was present. I know No. 11 was valued for purpose of division between Kemp and Warena. The award was made to Warena in No. 11 irrespective of Raumatangi, but if the descendants of Whatanui had elected to take No. 14, the Raumatangi section would have belonged to Warena by Maori custom. The Ohau section belonged to the Ngatipariri also. Warena got his share in No. 11 without Raumatangi. I cannot say whether it was mentioned in the Court of 1890 that if descendants of Whatanui took No. 14 Raumatangi section should revert to Warena,