

but I think I have mentioned it in the Court somewhere. Mr. Barnicoat acted for Warena in 1890. I made common cause with Warena. [Vol. 13, page 85, read: "Whatanui's people only got 100 acres at the original hearing," &c.] I do not remember Barnicoat saying that, but it is true, because it is in the Court books.

The Court adjourned till the 27th instant.

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SATURDAY, 27TH MARCH, 1897.

The Court opened at 10 a.m.

Present: The same.

No. 1, Horowhenua No. 14, resumed.

WIRIHANA HUNIA'S cross-examination by Sir W. Buller continued.

*Witness*: I said yesterday that I did not know till 1895 that descendants of Whatanui had definitely accepted Raumatangi. I admit that Barnicoat said in 1890 that descendants of Whatanui had refused Ohau section, and that Raumatangi had been cut off for them instead, but at that time Kemp still held both sections; he had not conveyed either. I remember Barnicoat saying, "No. 9 was put in Kemp's name, and I believe he is arranging with Te Whatanui's people to transfer it to them." This was in 1890. I cannot remember everything Mr. Barnicoat said, but I admit that what is in the books is correct. It was in February, 1890, that Mr. Barnicoat, who was my solicitor, made the remarks quoted—about three years after the partition of 1886. I remember saying yesterday that when No. 11B, 6,775 acres, was awarded to my brother in 1890 I knew that No. 9 had been cut out. The Raumatangi section is good land. I know that the valuers employed by the Commission valued No. 9 at £3 5s. an acre (*vide* Horowhenua Commission, page 344). It was known at time of Court in 1890 that the descendants of Whatanui wanted Raumatangi so that they might have access to Hokio Stream, but we wished them to have Ohau—I mean Te Aohau and others. I did not know what Ru Reweti and his party wanted. By "we" I mean Muaupoko. I don't remember whether anything was said in Court in 1890 about the descendants of Whatanui wanting the Raumatangi section, including the Hokio Stream, or about our wanting them to have the Ohau section. I don't think I or any Muaupoko indicated to the Court in 1890 that we wanted the descendants of Whatanui to have the Ohau section. We were too much occupied with No. 11; that was what Kemp and I were speaking of. I don't remember saying anything to any one about it. I was not concerned in the matter; they had to arrange with Kemp which section they would take. I knew in 1890 that the boundary of the Raumatangi section did not touch the Hokio Stream. I don't remember anything being said in the Court of 1890 about what was to be done with No. 9 if the descendants of Whatanui chose No. 14, but it was in my mind that No. 9 should go to Warena; but, as I say, I do not remember mentioning it to anybody. I knew in 1890 that No. 14 extended down to Waiwiri. I knew this at time of Court in that year. I don't remember hearing anything said in the Court of 1890 about what was to be done with No. 14 in the event of descendants of Whatanui choosing No. 9. I had it in my mind, and so had others, but I did not speak of it to any one out of Court, so far as I can remember. It had occurred to me in 1890 that the descendants of Whatanui were a long time making a choice of the sections. I was waiting to see which section they would take, so that I could decide on the course I should take for the recovery of the other. I honestly believed that if they chose No. 14 the Raumatangi would be added to my brother's land. It belonged to our hapu by Maori custom, not to the other hapus of Muaupoko. I saw Te Aohau and other descendants of Whatanui at different times. I heard Nicholson say in this Court that he selected No. 9 in 1886, and that the matter was settled. That was what he wished, but Kemp did not give it to him. Notwithstanding anything Kemp and Judge Wilson may have sworn, I say that it was still open to Ngatiraukawa to take either section in 1890. It was not till 1894 that I discovered that Ngatiraukawa had accepted Raumatangi. I think it was in that year that Kemp proposed to hand it over to them. When the Court sat at Otaki in 1895 I ascertained that they had got it. I remember suggesting to Te Aohau that he should take No. 14. I forget the date, and I forget his reply, but he did not say he would accept No. 14. I believed down to 1894 that Kemp held No. 14 and No. 9 in trust for descendants of Whatanui, and not for himself. That is what I thought. I would have considered it dishonest of Kemp to have disposed of No. 14 in any other way up to 1894. It would not have been right of him to have given No. 14 to me before Ngatiraukawa had made their choice. It would have been equally dishonest of me to ask him for it, and that is why I did not do so. I don't remember asking Kemp to give me No. 14 about 1889. I remember saying something to him about No. 14. [Horowhenua Commission, page 54, questions 204 to 207, read.] I remember giving that evidence; it is quite true. The questions and answers referred to No. 14. I thought that Te Aohau and party really wanted Raumatangi. We wished them to accept No. 14. Kemp was delaying the transfer of the sections in the hope that they would choose No. 14. I thought they would insist on having Raumatangi. I admit that it was wrong of me to ask Kemp to give No. 14 to me under the circumstances. One of the first things settled by Muaupoko at their meeting in 1886 when the township was discussed was that there should be a reserve of 1 or 2 chains round the Horowhenua Lake, and along the banks of the Hokio Stream. At the time the township was discussed it was arranged that there should be a reserve between it and the lake. The reserve on the banks of Hokio Stream was decided when Raumatangi section was discussed. I don't remember what particular women of Muaupoko objected to the boundary of Raumatangi section extending to Hokio Stream, but some did protest. It was at a meeting at the Royal Hotel, after we had left the Court—Kahui's Court. I think it was the first day of Kahui's Court. I called a meeting at the hotel to discuss the boundaries of Raumatangi. I think the meeting took place during the dinner adjournment, but I am not sure. I don't remember the