

the lake and along the stream. McDonald told Nicholson two or three times that the land along the stream was reserved, and he could not have it. Nicholson quite understood that the lines did not follow the bends of the stream. That is what the dispute was about. McDonald was backing up Kemp. Lewis had very little to say. He did not take either side, but waited until they had settled it among themselves. It was settled that the line should not come to the stream. I think it was settled in the Court on same day. I did not leave the Court. I can't remember what Kemp said after the settlement. Kemp and McDonald both said in the Courthouse that the boundary should not go to the stream. Lewis told me that it was foresight on Kemp's part to reserve the banks of the stream. He also said that the boundary did not follow the bends of the stream, but was to be a straight line. The Land Court was all over when the boundary question was discussed. I think so. I don't remember any Judge being present. I am speaking of the time when Lewis came up to purchase the 4,000 acres. I am quite sure that the Land Court had been sitting, and that No. 3 had been before it before the meeting I have spoken of about the Hokio Stream. The purchase of the township was discussed at the same time as the Hokio Stream. I think this was nearly a week after the Court had finished. The reason that Nicholson claimed up to the stream was because he wanted the water for fishing. He also wanted the places they were living on. He wanted the boundary of the land they were to get to go to the stream. This was after the Ohau land had been mentioned for the descendants of Whatanui in Court. I never heard the Raumatangi land mentioned in Court until the time I have spoken of. To the best of my belief the Court had finished. I do not know that I ever heard the Ohau land mentioned in Court after the time I have spoken of. It may have been. I was not in Court all the time. The Raumatangi may also have been spoken of in Court, but I did not hear it. I was in the barn several times, but I only remember the one meeting, and that was when Kemp asked for the 800 acres to pay Sievewright. The Ngatiraukawa having refused the Ohau land, it would, I believe, go back to Nos. 11 and 6. There were no boundaries fixed for the Ohau section. I did not see it on any plan, but it may have been on a plan. The Ohau section was not supposed to touch the water of Waiwiri. None of the Muaupoko lakes were to be disposed of. It was to commence on the eastern side of the lake, and extend westward across the railway towards the mountains. I don't know who told me that this was the land for the Ngatiraukawa. I think I was the first to propose it. I proposed to Stickles that the land for Ngatiraukawa should adjoin their own. I did not propose it to Kemp, because I did not think I could make him understand. For the same reason I did not speak to any of the others of the Muaupoko about it. Several Maoris at different times have told me that they thought No. 14 was to go back to the block—viz., Iritana, Wiki Pua, and Stickles's wife. This was years after the Court. They spoke half Maori and half English. Any one could understand them. They spoke to my wife, not to me. I listened, and heard what they said. My wife is a Muaupoko. She is not in the title. She speaks Maori, and is in Court.

Cross-examined by Mr. Stevens.

*Witness* : Iritana, Wika Pua, Ben's wife, and others have been to my house. All expressed themselves as believing that No. 14 would go back to the block. I can understand Maoris at meetings if they don't speak too fast. No. 3 may have been spoken of at the same time as Nos. 1 and 2. I may not have known the name of it. I think the railway, township, and Ohau section followed in that order. I did not look at the map to see the boundaries of any of the sections. I told Tikara that the Ohau section should not touch the Waiwiri Lake. I understood it was not to; but the Maoris may have altered it afterwards.

*Mr. Stevens* had another witness to call, but he had not arrived, and he asked the Court to allow him to call him later.

*The Court* said that it might be convenient to call Sir Walter Buller now.

*Sir W. Buller* said he was in the hands of the Court, but he must say at once that he should refuse to reply to any questions relating to his dealings with Kemp, or to the advice he had given to Kemp as his solicitor.

*Mr. Stafford* said he would force the questions upon Sir Walter Buller. He wished to ask Sir Walter Buller what took place between Kemp and himself as lessor and lessee, and as vendor and purchaser.

*Sir W. Buller* said the position was different when he was before the Royal Commission. He tendered himself for cross-examination before that tribunal because he was on his trial there; whereas he was not a party to this case, and he should refuse to reply to any questions referring to his dealings with Kemp. He asked *Mr. Stafford* if he would admit that there was no confidential relations between Kemp and himself when he took a lease, a transfer, and a mortgage of No. 14 from Kemp.

*Mr. Stafford* was not prepared to admit that. Sir Walter Buller may have been confidential adviser in other matters, but could not claim the privilege in respect of the cases mentioned.

*Mr. McDonald* intimated to the Court that he intended to call Sir Walter Buller for a certain purpose only, and if Sir Walter Buller withdrew certain statements made by him he would not call him.

*Sir W. Buller* said he might state frankly that the replies that he had made at the bar of the House he had made hurriedly. The information on which these replies were based had been obtained from hearsay statements made by different persons to him. He had no objection to take to the attitude observed towards him by *Mr. McDonald* or *Mr. Stevens*, but he thought that *Mr. Stafford* and *Mr. Baldwin* had displayed a certain amount of vindictiveness towards him.

*Mr. Stafford* thought that statements of that kind should not be allowed, and that the Court should interpose. He could say for himself and his friend, *Mr. Baldwin*, that there had been no vindictiveness. They had a duty to perform, and were present to do it.

*Mr. Baldwin* concurred with the remarks that had fallen from *Mr. Stafford*.