

*Mr. Baldwin* said before he went on with the cross-examination of Sir Walter Buller he would ask the Court to subpoena the Registrar of the Supreme Court to produce a tracing marked Exhibit B. He asked the Court to take a note that he was prepared to call Mr. McDonald and Mr. Stevens to state that the conversation about the arrangement to be submitted to the Commission was not a private conversation.

*Mr. Stevens* denied that it was a private conversation.

*Sir W. Buller* (to Mr. Baldwin) [*Hansard*, page 983.] : At the time I took my first lease from Kemp I was not his professional adviser, so far as I am aware. The lease of September, 1892, was taken after I was retained by Kemp and Muaupoko. Similarly with regard to the lease of October, 1892. There was no professional man acting for Kemp in connection with those leases, so far as I am aware.

*Mr. McDonald* did not wish to re-examine.

*Sir W. Buller* : Mr. McDonald put it to me whether I thought it was reasonable that I should put the people to great expense without consulting Warena as to the prospect of his giving up the land. Mr. McDonald asked me if I had read the minute-book. I would like to read two passages from it. [Otaki, No. 13, page 263 (Wirihana's evidence) : "I heard that all the Muaupoko agreed to give their interests in this land to do what they liked with," &c., to "left out." Same volume, page 268 (Baker's address) : "I intend to put in a declaration of trust by Major Kemp" (section 41 of Act of 1886 quoted). "The object is to secure the land for Muaupoko Tribe," &c., to "present Court."] The reading of the minute-book strengthens my contention that it was no use approaching Warena. I got the fullest information before I went to Parliament. I never heard till the Royal Commission any suggestion of a moral obligation on the part of Kemp and Hunia. At the time I advised Kemp to go to Parliament in 1892 I had satisfied myself that it was useless approaching Warena, seeing that he had declared himself to be absolute owner. In the early part of 1892 I had read a pamphlet containing a statement of Warena Hunia regarding Horowhenua Block, on page 3 of which appears the following paragraph : "Subdivision No. 11, containing 14,975 acres, was awarded to Major Kemp and myself, our shares being undefined," &c. In the face of such a statement as that it was utterly useless to communicate with Warena Hunia. I had the pamphlet in my possession in 1892, when we were fighting before the Native Affairs Committee, and I never did attempt to treat with Warena. [*Hansard*, page 982, read.] The fact that the descendants of Whatanui were disputing over the land is the best proof I can offer that they were in possession. There is therefore no inconsistency in my replies given on pages 982 and 986.

To *Mr. Stafford* : I have not got the draft of deed of re-lease. I do not know where it is.

*Mr. McDonald* wished to know what would be the next proceeding after the close of this case.

*The Court* said it had contemplated that the accounts would be gone into after all the evidence had been taken in this case.

*Mr. Stafford* asked when the issues of law would be gone into.

*The Court* said it did not propose to submit the questions of law until the close of the case.

*Mr. Stevens* informed the Court that he did not consider it necessary to call any more evidence, and that his case was closed.

#### CASE OF PAKI TE HUNGA.

*Henare te Apatari* called Paki te Hunga.

#### PAKI TE HUNGA sworn and examined.

*Witness* : I was one of the registered owners of Horowhenua. I am a Muaupoko, and have a good right to the Horowhenua Block. I remember the troubles at Te Watene's place. I and a younger relative, Kawana Hunia, burnt Watene's house. I am equal in rank to Kawana Hunia. I have never derived any benefit from Horowhenua, either pecuniarily or otherwise. I was at Palmerston when the Court sat in 1886. When I arrived there all Muaupoko were living at Palmerson's place in a barn, discussing the proposed divisions of the block. Nothing had been settled, because the people were wandering about the town amusing themselves. In the evening I returned home by train, my wife and child being unwell. Next morning I went back to Palmerston. The discussion was still going on, but nothing was settled, and I returned home again. I went back to Palmerston afterwards, and Rangimairehau told me what blocks had been settled. There were three blocks. The first was the railway-line. I was told that this had been considered by the tribe, and given to Kemp to convey to the Railway Company. I was asked what I thought about it, and said that I agreed. The second was the Township of Weraroa, 4,000 acres, and the quarter-acre sections for the Muaupoko. This land was to be sold to Government; the purchase-money was to pay for the exterior and interior surveys. Rangimairehau asked me what I had to say about this. I said I consented. The third was the block for the descendants of Whatanui. This block was located at Ohau, and was set apart in fulfilment of the agreement between Kemp and McLean regarding the descendants of Whatanui. Te Aohau objected to this in Court, so Rangimairehau told me. I did not go to the Court. I was not then told that the Ohau land was given to Kemp for himself. I wanted to have my name put in Nos. 11 and 12. Hema Hanita and I had some strong words, but my wish was not complied with. About three or four days later I again went to Palmerston, and found that No. 11 had been awarded to Kemp and Hunia, and No. 12 to Ihaia Taueki. This is all that I know about what took place at the Court of 1886. Then we came to the Pipiriki meeting, which Kemp was invited by the Muaupoko to attend. Before Kemp arrived the people had decided to ask him to give back Nos. 6, 11, 12, and 14 to them. Waata Muruahi was appointed spokesman. Kuku Karaitiana was chairman of the meeting held before Kemp arrived. When Kemp and I arrived Waata Muruahi asked Kemp for Nos. 6, 11, 12, and 14. He asked Kemp and Warena to