

## CASE OF RIHIPETI TAMAKI.

*Hamuera Karaitiana* said, in opening his case, that he had intended to call Nireaha Tamaki, but, as he could not give any evidence of importance that his client could not give, he had decided that it was unnecessary, and would call Rihipete Tamaki.

*Rihipeti Tamaki*: I live at Te Hawera. I am a Muaupoko. My hapus are Ngatipariri and Hamua. I remember the Court of 1886. I attended it. I remember the Muaupoko assembling at Palmerson's place, in Palmerston. We lived in a barn. Kemp stayed in Palmerson's house. I heard the discussions about the divisions of Horowhenua Block. I heard Rangimairehau speak of the divisions in the barn. Rangimairehau spoke of the block for the railway, the township, and the Ohau section. I heard Rangimairehau say that the Ohau section was to be awarded to Kemp to give to the descendants of Whatanui. That is all I heard Rangimairehau say. I agreed, because all the tribe had consented to give the land to the descendants of Whatanui, but I did not speak. The lands had not been awarded at that time. They were discussed outside the Court, and then taken into the Court and awarded. I was in Court when the three blocks were brought before the Court. Mr. McDonald was conducting at the time. I did not hear of any meetings of Muaupoko after that. I could not say whether there were any other meetings. I only heard of the one I have mentioned by chance. Mangakahia was the Assessor when the three blocks were brought into the Court. I heard the Ohau Block referred to in Court. I did not hear any one object in the Court. If Rangimairehau had said that Muaupoko had agreed to give the Ohau section to Kemp for himself I would not have agreed. It is only now that I have heard it claimed that this land was given to Kemp for himself; that is why I am objecting.

Cross-examined by Mr. McDonald.

*Rihipeti Tamaki*: I was some time in Palmerston during sitting of Court, but I lived in lodgings, not with the Muaupoko. I did not go to Palmerson's barn every day. We were invited to attend the meeting I was present at. I heard, but not from the Muaupoko themselves, that they were dividing their land. I agreed to what I was told was done by Muaupoko. I heard that other divisions of the block were made. I did not object, because I heard that Kemp and Warena were trustees for No. 11, and that Kemp was trustee for the Ohau section. I understood that Ihaia Tauaki also was trustee for No. 12. I did not hear of this when the railway section was dealt with. The other divisions must have been made later. I heard at the time that they were made. I heard it from Muaupoko outside. I did not object. The Hamua were put on the hills because they had no right. I did not hear that there was a piece of land cut off at Raumatangi at that Court. I did not hear it while I was at Palmerston.

Cross-examined by Henare Te Apatari.

*Rihipeti Tamaki*: I did not hear it proposed at any meeting that Kemp should have Ohau for himself. Nor did I hear of a meeting where Kiritotara said no one could object to his having it, or of a meeting where Kemp proposed that he should have it, and no one spoke.

Cross-examined by Mr. Baldwin.

*Rihipeti Tamaki*: My recollection is not very clear as to what took place at the Court of 1886. I only remember what I spoke of first. I know Te Aohau. He was at Palmerston in 1886. I did not see him stand up in Court. I may have been outside when he spoke. I saw Mr. Lewis at the Court. He came on other business—to bring up money for the people. I did not see him in the Court. I did not give any evidence before the Commission about the Ohau section. I did not make any statement to any of the Commissioners about No. 14. I did not hear that No. 14 was given to Kemp for himself. I heard that it was for the descendants of Whatanui.

*Sir W. Buller* had no questions.

Re-examined by Hamuera Karaitiana.

*Rihipeti Tamaki*: I only heard outside about the other divisions. I was not present at the meetings where the first three blocks were discussed, but Rangimairehau told me about them.

*Hamuera Karaitiana*: That closes my case.

*The Court*: Then, that closes the evidence so far as this case is concerned.

*Mr. Baldwin*: I presume that the pleadings in the Supreme Court are put in; also the plan (Exhibit B).

*The Court* considered that they were in.

Horowhenua No. 14 case adjourned till Monday, the 5th instant.

The Court adjourned until the 5th instant.

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MONDAY, 5TH APRIL, 1897.

The Court opened at 10 a.m.

Present: The same.

No. 1, Horowhenua No. 14.

*The Court* said the chief business before the Court was the rendering of accounts which Sir Walter Buller had promised to go on with to-day.

*Sir W. Buller* said he would do what he could to show the expenditure by Kemp since 1873. It was very difficult. From 1873 to 1886 Kemp was trustee for the whole block. It was impossible to make up an accurate statement, as Kemp had kept no books; but the Court would be told all that it was possible to tell. According to Kemp's contention, from the time of partition in 1886 down to decision of Supreme Court in 1895 he and Warena were trustees in respect of No. 11. It would be easy to show receipts, because they depended on documentary evidence.