

benefit from the town. I heard that the tribe gave it to Kemp in 1886. The tribe know that he spent all the money in connection with the disputes over Horowhenua. The tribe did not ask him for any of the money derived from the township. Some of the tribe received money on account of the township. Kemp could give the money to whom he liked. The tribe did not agree to this being done. I think the sum of £200 charged by Kemp for his personal expenses from 1886 to 1896 is reasonable. I approve of payment of £30 to Sir Walter Buller for prosecuting Paki te Hunga and Hunia, and the £5 paid for expenses of Hector McDonald and another; also the payment of £130 to Ru Reweti. I was not here when McDonald's cattle were killed, but I approve of item £23, paid to Baker.

*Hamuera Karaitiana*: No questions.

Cross-examined by Henare te Apatari.

*Witness*: It is right that the tribe should defray the legal costs incurred in their behalf. I do not think any of the owners of the land failed to participate in the rents derived from it until the troubles commenced; then everything went in expenses. The members of the hapus who had not occupied were not entitled to receive any of the rents. If it is found that any of the members of Muaupoko have shared more largely in the rents derived from the land than others this should be considered when the distribution of the £800 is made.

Cross-examined by Sir W. Buller.

*Witness*: I was present when Fraser made up statement of accounts. I helped him all I could. I am aware that Rangimairehau has a translation of it for the use of the people. I am familiar with the account. I approve of all the items charged by Kemp against the tribe, because the expenditure was on behalf of the tribe, and Kemp was working to get back the land for the tribe. He has succeeded in doing this. He has put all four hapus back on to No. 11, including Ngatipariri; therefore it is right that Ngatipariri should pay their share of the costs and expenses. I do not know exactly how much Wirihana got. If Kemp says he paid him £500 I will not contradict him. It does not concern me personally. The reason Ngatipariri left Wirihana Hunia is that he did not consider them at all. He gave them nothing out of proceeds of the State farm. Neither Warena nor Wirihana made any attempt to put the people on the land. Warena and Wirihana insisted and asserted positively before Parliament, the Supreme Court, and the Appeal Court that the land was Warena's absolutely, whereas Kemp contended that he and Warena were trustees. All Warena's witnesses before the parliamentary committee stated that the tribe had given Kemp and Warena No. 11 for themselves. Ngatipariri left Wirihana and joined the other three hapus of Muaupoko after they received the *panui* convening this Court. Ngatipariri joined Kemp of their own free-will. They were not asked by Kemp to go over to him. Kemp was at Wanganui when the four hapus met and agreed to support him. Neither Kemp, Fraser, nor yourself have attempted to intimidate us or to induce us to join Kemp. Wirihana and Te Whatahoro came to us and asked us to join Wirihana and Warena, but we refused. They asked us to sign a document, but not one signed it. Rawinia Ihaia is a *tuturu*—Ngatipariri. She has never joined Wirihana's party. Hapeta Taueki is a son of Ihaia Taueki, who has a large claim on No. 11. The £100 paid to him by Kemp is the only sum Hapeta Taueki has received out of Horowhenua rents, and that he divided fairly among the twenty-seven persons with him, who were all *ahika*. The statement of accounts submitted by you to the Court was made out by Fraser at my request on behalf of the tribe. We did it of our own free-will. Kemp did not ask us to do it. I consider the account is a fair one, and is as correct as it can be made. The people wish the £735 13s. 5d. still unaccounted for to be left as Kemp's share, and as some return for what he has done. The people agreed to this. I suggested that they should when we considered the accounts. All the tribe heard of it. None of them objected.

[At 12 noon, there being a considerable number of persons present, the Court requested all the owners of Horowhenua now in Levin to be in attendance at 2.30 p.m., when any who chose would have an opportunity of giving evidence as to the statement of accounts rendered by Kemp.]

*Witness* (to Sir W. Buller): I, Rangimairehau, Hema, Hori te Pa, Noa Tame, Hoani Puihi, and others were present when the accounts were considered. I said this morning that the tribe sent £200 to Kemp as a contribution towards cost of his house. Another £100 was sent with the food when the house was being built. The £100 sent to Kemp was that paid by McDonald to Ihaia on the 25th April, 1881. I do not know what amount Kemp has paid to Warena Hakeke.

2.30 p.m. Re-examined by Mr. McDonald.

*Witness*: Our lawyer told us that the price of the State farm was £6,000. My evidence before the Horowhenua Commission was not true. One of the reasons Ngatipariri left Wirihana was that he did not consult them about the sale of the State farm. Our lawyer told us this. It was also stated in evidence in the Supreme Court in Wanganui. Warena never said that the land belonged to the tribe. He always said that it belonged to him and Kemp. To this extent he turned the people off. This was the cause of all the trouble and litigation that has taken place since. I did not hear Warena say anything else. At Pipiriki meeting Kemp and Warena were asked to give back the land to the people. The tribe suggested that Wirihana should have 1,500 acres at Hokio, but he demanded the whole of the lake and the graveyard, but we would not agree to this. It was after the *panui* for this Court came out that the hapus met and agreed to act together. The Ngatipariri should contribute towards the costs of the litigation over Horowhenua, notwithstanding that Ngatipariri were with Wirihana, because Kemp got the land for them. Warena did not show them any consideration whatever. If Wirihana had incurred the expense, and saved the people, Kemp's side would have had to share the expense. Kemp has saved the land for Ngatipariri as well as the other hapus. It is proper for the land to bear the expense, because it has been recovered or the people. I have said that the tribe agreed to Kemp keeping the £735 13s. 5d. for his share.