

years, and now a good many eels are caught during the season, but not to the same extent as before. Am not aware of a difference between the present and former high-water mark. Have seen the water quite as high since the earthquake. Have seen it very close to Mr. Hume's homestead. Am unable to state what effect the earthquake had on the land adjacent to the lake, as I was a new arrival about the time it happened. The Natives described the boundaries of the blocks to Mr. McLean, and he had also Captain Smith's sketch-map of the Lower Valley to assist him. This map was completed stealthily by Captain Smith, as the Natives would not allow him to survey, consequently it was not very reliable, but was of some assistance. We did not go on to the Turakirae Block. Mr. McLean came with Sir George Grey along the coast. There was no track then along the other side of the lake, nor yet over the Rimutaka. Cannot explain the cause of the inconsistency between the verbal statement as regards the boundaries and the boundaries described in the deed of the Turakirae Block. [Boundaries of Turanganui Block read out]. Witness remarked that there appeared to be an ambiguity in the phraseology used about the waters of the lake. The words used "through the waters of the lake" might mean in any direction. I do not know who made the translation, but think that Mr. McLean did not: he only translated the first deeds. Hiko was the principal man over the lake, and Hemi te Miha ranked next. Raniera te Iho was not an important owner. Tamihana Hiko used to claim an interest, but he derived his right through Hiko. Cannot say when the low land by the lake was purchased. Natives knew of it, but I do not know whether they remonstrated with the Government about it, although they used to maintain that the land had not been sold by them. They took no steps to put the Europeans off. Have heard them remark that if the position had been reversed that the Europeans would not have behaved so considerably towards them.

*By Mr. Pownall:* The Natives were aware that the settlers had bought the land adjacent, but it was an act of forbearance on their part that they did not disturb the purchases. Have no doubt the Natives spoke to the Government about it. Heard of consent being asked to open the lake before the Government purchased Hiko's interests. The object in doing this was to get control of the lake. Am not aware of the terms of the agreement; merely heard that a sum of money was paid. Consider that this arrangement violated the understanding come to at the time the sale of the Turanganui Block was negotiated. Consider that all the people should have been consulted. The eel-fishing has of late not been conducted on so large a scale as in former years; this has been partly caused by the interference by the Europeans with the mouth of the lake, not because the lake has become less valuable. I drafted the resolution passed at the Featherston meeting, and received a sharp rebuke from the Government for acting as chairman of a meeting, as it was pointed out that as a Justice of the Peace I should not have taken part in anything that was likely to provoke a breach of the peace. Deeds were drawn in all cases. I prepared deeds of the four blocks. Am not able to say how the Turanganui deed has gone astray. I delivered them all at the time. Mr. McLean's reference to high-water mark referred to the purchases generally on the lake. The flood-line is the same as it used to be on the east side of the lake. I do not know about the west. The eel-fishing is carried on at the mouth of the lake when it is flooded, and at the other times in the creeks and lagoons when the lake is opened. Do not know what the Natives do elsewhere. They may possibly follow the eels as they ascend the creeks with the flood, and catch them with nets as they return. Mr. McLean said that the lake must never be opened—that the high-water line was the boundary of the Crown land. It was impossible therefore that settlers could be injured by the closing of the lake, as the land that was flooded belonged to the Natives. The land ceded to the Government was the dry land. The reservation relative to the right of eel-fishing is in the Turakirae deed. Consider that the sale of the Taheke Block in 1862 is inconsistent with the contention that the whole of the low land in what is known as the Turanganui Block was sold to the Government in 1853.

*Wi Huhana* (examined by Commissioner): I came to Wairarapa in 1861. Was not present in 1876 when Hiko sold his interest, but heard they had sold their fishing-rights to the Government. They may have considered that they had sold all their rights to everything, but I do not know the nature or terms of the deed. Heard that Hiko was the principal owner of the lake, but there were many others as well who had an interest; but Hiko was the paramount owner. Hiko could have opened the lake if he had chosen without consulting the other Natives. Never used to assemble the Natives together to consult them in olden days. Hiko, in selling his interest to the Government, transferred all his rights with it. If the sale was a valid one, Government, as the representatives of those persons who had sold, would have a similar right to go on the spit as they had. It was not necessary for Hiko to consult any person before disposing of his rights. All that I know of the sale of 1853 is from hearsay. Am positive that Hiko and others told me that high-water mark was the boundary of the sold land. I know the position of Tuakipuku. There is only one place of that name, and that is situated at the junction of the Ruamahanga with the upper lake. I do not dispute Hemi te Miha's description of the boundary, but it does not coincide with the description in the deed; and if the deed is correct there is evidently an inconsistency, but I desire to state that I always heard up to 1881 that the boundary was at high-water mark. In that year Captain Mair, Government Commissioner, explained that the deed showed the edge of the lake was the boundary. Captain Mair read over the boundaries of the Turanganui Block to us, and it was then I first heard that the boundaries were so described. Hemi te Miha, Piripi te Maari, and others stated that the boundaries in the deed were wrong, and asked that the original deed should be produced—the one they had attached their names to in 1853. The Natives did not make any explanation relative to the difference between the boundaries described by them and those in the deed. Self, Hemi te Miha, Piripi te Maari, and possibly Wataharo, were present at the time, and the remark made at the time was "*E he ana te takoto o nga rohe i nga Tiiti na.*" Told Captain Mair that the deed was wrong. Was not at a meeting when Mr. Buchanan was present, nor heard it stated that the Natives did not prefer a claim to the Turakirae Block. Remember that Mr. Buchanan was present at some of the meetings at Papawai, Waitapu, Kohunui, and Masterton when the lake question was being dis-