

465. Is not that your idea since the Commission commenced?—Yes.

466. Was there any idea of that kind in your mind when the Court was held at Palmerston about the division?—No; I had no thought of that kind at Palmerston; but when I heard the Ngatiraukawa had refused the land, it was then I thought it ought to be put back in No. 11 Block for Ngatipariri.

467. Did you not, at the Court in 1886, hear the Ngatiraukawa say, “We will not have this 1,200, but 1,200 acres up at Raumatangi”?—Yes, I heard that.

468. And they quite decided not to take Waiwiri?—Yes.

469. And it was a final determination of theirs to take it up at Raumatangi?—Yes.

470. There has never been any proposal to exchange since?—No.

471. When this proposal took place afterwards at the Court of 1890, as you have told us, when Kemp said “I will give 8,000 acres,” and Warena said “I will give 3,000 acres to my tribe,” nothing was then said about Waiwiri being given back to you?—No.

472. You never said anything about it to the tribe at that time?—No; I said nothing.

473. And you said nothing to Kemp about it at that time?—No.

474. But now the thing has come before the Commissioners you think it ought to be given back?—Yes; it was when I heard this Commission was going to be appointed I thought this land should be returned to the Ngatipariri to be put back into No. 11.

475. That was the first time the thought came into your mind?—Yes; and I came to give my ideas.

476. Then, you began to think that Waiwiri ought to come back to Ngatipariri?—Yes, that the land should be given back to Ngatipariri, and my land that was taken should be given back, and the moneys that have been paid over also.

477. And the £2,000 the Government paid to Warena Hunia?—Yes.

478. Although that was spent and used by Warena?—Let it all be brought under the law.

479. Would this not be quite right: there was a sale by Warena to the Queen, and Warena got £2,000; he has told us he spent the money himself; now that we have a Commission sitting to inquire into the whole matter, do you not think it would be right for the Government to find another £2,000 and put it on the table, and ask the Commission to whom does it belong?—Yes; that would be right.

TUESDAY, 31ST MARCH, 1896.

JOHN ALEXANDER WILSON examined.

1. *Sir W. Buller.*]—You are a Judge of the Native Land Court?—Yes.

2. And have been so for many years?—Yes; since there has been any Commission, nearly nine years.

3. You have had a large experience of Native affairs?—Yes.

4. You presided at a sitting of the Court in 1886, when the Horowhenua Block was brought before the Court for division among the owners?—Yes.

5. It was a block of 52,000 acres or thereabouts?—Yes.

6. When this was brought before you, you found a certificate of title under the 17th section of “The Native Lands Court Act, 1867”?—Yes.

7. The title being in the form of a certificate to Kemp, with some 143 others interested in it?—Yes; it was in the name of Kemp, with a number of *cestui que* trusts interested in it. I cannot remember how many.

8. I think you proceeded under the 59th section of the Act of 1866?—No; that was a mistake. We heard it under the old Act, I think, entirely. I gave the Natives their choice of having it heard under the new Act of 1886 or the old Act, and they chose the latter.

9. Will you shortly explain the effect of this, and what difference it made under which Act you proceeded?—I do not think it made any difference. The old legislation was not so complete as the new.

10. It did not give the Court such extensive powers?—Oh, yes; it gave them just as extensive powers. It would be under the Native Land Court Act of 1880, and the Subdivision Act of 1882. The former compelled us to give effect to voluntary arrangements; the wording of the clause in this Act was peremptory. The Act of 1882 enabled us to divide the land.

11. You have a distinct recollection of what happened in this Court of 1886?—Yes; I think so.

12. On that occasion what Native chief appeared to represent the Muaupoko?—Kemp.

13. According to the minute-book you commenced proceedings in 1886?—It was in November; I cannot remember the exact day.

14. Who was the Assessor on that occasion?—We commenced with Hamiora Mangakahia; he belongs to the Thames.

15. Then something happened?—Yes; after a day or two his wife fell sick, and he went home.

16. He was replaced by another Assessor?—I had to adjourn for a day or so to get another Assessor, and I got one named Kahui Karanihi.

17. Then you commenced proceedings *de novo*?—Yes, so as to give effect to the former proceedings; otherwise I did not think it would be legal.

18. Before this, and the calling of another Assessor, you had made certain allotments in the way of giving effect to voluntary arrangements?—Yes; we had.

19. And when the Court resumed you had them called on again, and confirmed them—repeated the orders?—We had them confirmed, and made fresh orders, but the numbers were not the same.

20. That had the effect of disarranging some of the numbers?—Yes; they were not kept in the same sections. The Natives did not bring them up in the same order.