

84. You do not recollect anything he said on that occasion?—I might if he had said anything that struck me.

85. I will read you what he said: "I know of the arrangement spoken of, &c. I have some notes of the arrangement; it was to be a block of land 4,000 acres to be cut up as town and suburban lands. The intention was for town allotments, garden, and for small farms. The terms were not settled finally, to see what orders in subdivision would be made. The terms were settled so far that the land would be dealt with in the best interests of all the owners. The Native Minister was satisfied of this." Objectors challenged; none appeared?—That evidence was given to us, but I do not remember it was Mr. Lewis's evidence.

85A. The Court then, notwithstanding the non-appearance of objectors, appeared to have been desirous of knowing a little more about the matter, and proceeds to examine Mr. Lewis, who said there was no difficulty as to its being cut up?—I do not remember that part; I remember the first part read.

86. The Court then makes this remark: "We do not wish the man to be a trustee for this land, and nothing done for the benefit of the owners for ten years." Order granted to Kemp for 4,000 acres, the position to be delineated on plan and numbered 2. Mr. Lewis on former oath: "During the time Sir Donald McLean was Native Minister there was serious difficulty and destruction of property on Horowhenua. The Government succeeded in an amicable settlement, and part of the agreement was that 1,300 acres be given to certain Natives. They paid for the survey of the whole block. Kemp, on his part as a chief, executed an agreement, which was deposited with the Government. He made over, by this deed, 1,300 acres to certain Natives. I cannot remember if the locality was expressed, but the area was. I have sent an urgent wire for information on this point, and if the deed is not too long, to have the whole contents telegraphed"?—I remember him making the remark about 1,300 acres; I do not remember about the deed being telegraphed. I have forgotten all about any deed.

87. Do you remember Mr. Lewis saying, "Kemp was a trustee for the tribe"?—I remember that point being brought out by Mr. Lewis.

88. The order was made for 1,200 acres at this stage?—Yes.

89. Are you quite sure that this 1,200 acres was what is now shown as No. 9?—Yes; I am quite sure; we never had anything else before us, excepting at a subsequent stage when it was known they objected to that, and that there was some talk about getting them in No. 14.

90. Are you quite sure it was not the other way about—that No. 14 was not first, and they then put them into No. 9?—The higher numbers came on afterwards; they were not in existence; No. 14 was not in existence when No. 9 was taken. The sequence of numbers should show the manner in which they came before the Court.

91. *The Chairman.*] But were you not speaking from a different plan to this one? I understand you to say you had a plan before you on a former occasion, and it does not follow that the numbers were the same?—Yes; the first numbers up to six or so, but nothing above six, I should think, was heard by us with the first Assessor.

92. Was not No. 10—the 800 acres—one of the first things done?—No; my impression is that No. 9 was one of the early ones. No. 10 came before No. 14. Kemp got the 800 first, and then got No. 14 for himself. When they did not like No. 9 there was some talk of satisfying them out of Kemp's own land. It was not the other way about, as Mr. McDonald suggests.

93. *Mr. McDonald.*] Do you recollect after Mr. Lewis gave evidence, and after the order had been made for the 1,200 acres, if the person who you told us sat opposite you at the table said anything?—No; I cannot recollect. I know that person approached me, and I told him I could not recognise him, as he had no *locus standi*; some of them approached the Assessor also, and he wrote about it.

94. When this order on this first day for 1,200 acres was made, do you recollect any person getting up on behalf of the Whatanui and objecting to the 1,200 acres that had been cut off that day?—I recollect somebody getting up, and they were held by the Court to have no *locus standi*. [There are two sets of numbers; one set was wrongly put in by the clerk, who took upon himself to alter our numbers, and I made a complaint and the numbers were set right again; he had altered our numbers back to the old numbers that existed previously.]

95. After you had made the order?—I do not know about that. What would have been the use of objecting after the order was made? It must have been before.

96. The notes say that it was after the order?—I do not know that the order had been made. If the £1 fee is on the margin at that stage the order was made.

97. Then it was after the order was made?—Yes.

98. Can you recollect at all what was the position of the 1,200 acres?—It was No. 9.

99. You say the Assessor's wife died and you had to adjourn the Court?—Yes; to an interval of five or six days.

100. Your impression is that No. 14 was given to Kemp for himself?—Yes.

101. Can you recollect anything that would indicate that that had really been done?—I know he got the 800 acres, and another block for himself; it was in that direction.

102. You recollect the portion for the township: that was for himself?—It was in his name; but I do not know whether he had any right in the township, or whether his whole measure was not exhausted in the private section he got.

103. Do you recollect any person saying at the time that it was for himself alone?—I know I must have been very particular about challenging for this piece that he got for himself, because it was important we should know that none of the tribe objected. I do not think anybody spoke besides Kemp.

104. Was there any difference in your challenging for objectors in No. 14 and No. 2?—I am sure we challenged thoroughly for No. 14. I supposed we challenged in all of them very carefully; but we should be particularly careful with a chief when he says, "I am to have that."