

They had brought in their plan on a wrong basis, boundaries were incorrect. After some discussion boundaries were agreed upon. I took them down very carefully and sent them to Mr. Marchant at Wellington. They were extracted from my notes and filled half a sheet of foolscap. The reason I sent the description of boundaries to Marchant was that the surveyors had made the survey wrongly, and a new survey had to be made before I approved it. The descriptions in the minute-book are not sufficiently full. When I wrote the description of boundaries I knew the land was for the descendants of Whatanui. Kemp and Lewis had both said so on oath in Court.

*Sir W. Buller* produced plans 5213 and 5214, and W.D. 508.

*Witness*: The minutes written on this plan are signed by me. I have not seen this plan since I signed it. [Approved plan of partition produced to witness.] I identify this plan. The plan W.D. 508 is the plan that was before the Court in 1886, and upon which Mr. Palmerson laid off the divisions as they were made. It had previously been approved by Judge Rogan, who made the order in 1873. I put the first minute on it when the Court first opened. It was then almost a blank map; there were no divisions on it. My second minute to the Chief Surveyor was made after the divisions had been scaled off and numbered. This minute is dated 3rd December, 1886. No. 14 is correctly marked No. 14 on the plan. It was so marked when I had done with it. I know nothing about any previous number on it. On the second map, as approved, No. 14 crosses the railway and extends to Waiwiri Lake. The effect of the alteration was to encroach on No. 11 as awarded to Kemp and Warena. I saw the memoranda on W.D. 508 signed by Major Kemp and Warena Hunia before I signed the approved plan. I understood they referred to the alteration of boundary of No. 14. When the plan was sent to me by Mr. Bridson, Registrar, for approval—I mean the plan of the partition—I sent it back to Mr. Bridson, and pointed out that I withheld my approval until it was explained why the plan had been sent up as it was. It did not coincide with the plan sent by me to the Survey Department. Mr. Bridson said that was how it came to him. I still refused to approve. Then Mr. Marchant wrote me a memorandum saying that the railway as shown on the plan that had been before me was incorrectly laid down, and that it had to be correctly shown. I was satisfied with that explanation, and approved the plan. I also signed the orders for title.

*Sir W. Buller* reads from vol. 7, page 192.

*Witness*: The entry refers to the land awarded by the Court to Kemp for the descendants of Whatanui.—After Mr. Lewis had brought it back to the Court. It was put in Kemp's name in order that he might fulfil an agreement. Mr. Lewis accepted it. I am sure it had been agreed to by Kemp and Lewis, but I don't know about descendants of Whatanui. The minutes are continuous from page 192 to page 200.

*Sir W. Buller* reads from vol. 7, page 200, "Application from Meiha Keepa te Rangihiwini for confirmation of the order in his own name," &c.

*Witness*: That is the order for No. 14, to Major Kemp for himself. I do not know how the word "confirmation" came to be there, but I think the clerk took it from the interpreter. Major Kemp probably used the word "whakatuturu," and the interpreter rendered it "confirmed." I am going to say now which I have not previously said at any inquiry or proceedings, or to you. The idea that seems to be current that Kemp asked the abortive Court for a subdivision for himself is wrong. It referred to the general subdivision. When No. 10 was first brought before the Court, and Kemp asked that 800 acres should be awarded to him, it was explained that it was to pay a lawyer. I thought it was a very large area for the purpose, estimating the value of the land at 20s. per acre, and that part of it must be for Kemp, after he had paid the lawyer. The 800 acres were put in Kemp's name. It was stated that it was for the purpose of paying the lawyer. Lawyer's name was mentioned. Some time after making order for No. 10, and before making the order for No. 14, an application was made for No. 14 for Kemp himself, and the effect of this coming upon me suddenly gave me a shock, as I had looked at the 800 acres as partly for Kemp, and I did not then make the order. I left it to the very last, to give the Natives time to think of it, and object: this is sometimes necessary. No one objected, and the order was made. If there had been any objection I would not have made it. I have since heard that the 800 acres were devoted to the purposes for which it was intended, and in that case the 1,200 acres would not, in my opinion, be too much for Kemp for his personal share in the block. I am not speaking casually, but from experience in other cases of the kind. It would be what I call three averages. The Okoheriki Block at Rotorua is an instance. I could give many others if necessary. I was specially careful to challenge in No. 14, because I was then under the impression that No. 10 was for Kemp also. I say again that No. 14 was for Kemp himself. I remember giving evidence before the Royal Commission on this point. [Horowhenua Commission, page 134, question 104, read, with reply.] I reaffirm the reply that I gave then. I believe that there must have been another challenge which does not appear in the minute-book. [Horowhenua Commission, page 138, questions 203 and 204 read, with reply.] Both those replies of mine are quite true. [Horowhenua Commission, page 132, questions 58 and 59 read, with reply.] Those replies are correct. [Horowhenua Commission, page 139, question 219, read, with reply.] I reaffirm that answer. I remember giving evidence before the Supreme Court on these points. Do not remember reading judgment. Have heard that the judgment was based principally upon my evidence. My evidence given before the Supreme Court was entirely from memory, as was my evidence before the Royal Commission. I had seen neither the minute-book nor the plan. The Chairman of the Commission told me he would rather my evidence was given without reference to my minutes. I did not ask to be allowed to see the minutes, but I could see that the Commissioners did not wish me to refer to them. There was no telegram submitted to me by the Commissioners during the hearing of Horowhenua Block by the Commission. I received a telegram from the Under-Secretary of Justice—a short wire. The effect of it was rightly stated by the Commissioners in their report. The telegram reached me as I was going on board of the "Monowai," after I gave my evidence in