Sir W. Buller objected to the question.

The Court ruled that the question was irrelevant.

The Witness: I cannot say what effect my telegram of 1895 had on the mind of the Under-Secretary for Justice. It was sent after my notes had been destroyed. The telegram might be looked upon as disingenious; I cannot say. My reply would not put a penny into any one's pocket or take a penny out of any one's pocket. I conceive that I was in the best position of any one to say n what capacity Kemp appeared. I suppose the Under-Secretary required correct information. I do not consider I misled him, but it is for the Court to say. I will not condemn myself. No. 14 did not come within the scope of the inquiry made of me by the Under-Secretary. I ought to have mentioned the 4,000-acre block, but I omitted it.

Re-examined by Mr. Beddard.

Witness: I remember the buggy incident now. I do not know whether my notes would decide the question of trust in Horowhenua. No application has ever been made to me to inspect my notes. I recollect the opening of the Abortive Court in 1886. Remember McDonald explaining the position and making use of the word quoted—vol. 7, page 183. McDonald asked that Kemp should appear as agent, but I decided that he was spokesman and trustee for his people. He only could place the proposed partition before us. I was able to state before the Royal Commission without reference to the minutes what each subdivision of Horowhenua was intended for. In this Court I have been able to say where I disagreed with the minutes. There were a large number of Natives present at Court in 1886. It is a fact that Kemp asked by or through McDonald to appear as a trustee for the people. A number of the subdivisions were awarded to Kemp in trust. I have always been aware of this. The railway block was also awarded to him in trust. The telegram of the Under-Secretary to me referred to No. 11 only; anything else I said was gratuitous. I never heard of any disputes about No. 14 until after the Court at Wanganui. I had not heard of any disputes in 1890. [N.O. 87/2236 handed to witness, who admitted that it was in his handwriting, and signed by him.] There was a mistake in the boundary of No. 9 as first surveyed. I would not approve it until it was altered to my satisfaction. [N.O. 87/2236 handed to witness, who identified it as his handwriting. Document read.] The instructions as to survey of No. 9 must have been given on the 1st December, 1886, because it was before us on that date. I remember that No. 3 was not delineated on the plan when it first came before us, on account of disputes about the boundary. The instructions to the surveyor were given after the matter was settled. We had had so much trouble in settling the boundaries of No. 9 that I was determined not to have any alteration made in them. When the order was made for No. 9 I made a complete description of the boundaries; that which you have just read is a correct copy from my notes of the boundaries. I made the final order for No. 9 to the descendants of Whatanui on the 1st December, 1886. We never awarded No. 14 to them. I am strongly of opinion that the 1,200 acres that came before the Court on the 25th November, 1886, was what was afterwards No. 9. The order for No. 14 is dated the 3rd December, 1886. No. 1, the 4,000 acres, and No. 9 are ante-dated to the 25th November, 1886. It has all along been my opinion that the No. 3 before us on the 25th November, 1886, was the same land as that afterwards numbered 9. Mr. Buckle made some alterations of numbers in the minute-book. They were made after the 3rd December in Wellington—after No. 9 was delineated on the map, and after our Court was closed. He was Clerk of the first Court, and had the opportunity of knowing where No. 3 was situated, and which I believe afterwards became No. 9. The pencil-note in margin (by Jones) would be made at the end of the Court in December, 1886, to facilitate the preparation of fee return. Applications for the railway, the township, and 1,200 acres for descendants of Whatanui came before both Courts in November and December. I am satisfied that subdivision which came before the Court on the 1st December, 1886, as No. 3 was afterwards No. 9. [Vol. 7, page 188, read.] I have nothing more to add as to my impression that the No. 3 of the 25th November, 1886, was identical with No. 9. Kemp made the objection to No. 14. He said in Court that the descendants of Whatanui had refused it, and that they had also refused No. 9. If Nicholson made any objection to No. 14 it must have been a general objection, as I am satisfied that we never made any delineation of No. 14 for descendants of Whatanui. [Horowhenua Commission, page 131, question 35, read.] I remember that evidence. The facts are exactly as stated there. It shows, to my mind, that it was No. 3, afterwards No. 9, that was objected to. It was after No. 9 was pointed out on plan in Court that objection was made to it. There never was any intention to give the descendants of Whatanui No. 14. It was before the 1,200 acres was defined that Mr. Lewis withdrew it from the Court. He may have withdrawn it after adjournment of first Court and before opening of second Court. Mr. Buckle altered the numbers of the new Court back to those of the old Court. I assume that he thought the proceedings of the second Court confirmatory of those of the first Court. [N.O. 87/515 read to witness.] I objected to Mr. Buckle making any alterations in my minutes and orders because he had no authority to do so. I know that the alterations of numbers made in red in minute-book are Buckle's. He makes No. 12 No. 2.

Mr. Beddard agrees to read Mr. Buckle's explanation of his action in altering numbers in minute-book. He points out that, although No. 12 was put down in the list, it still retained its number, as did No. 13.

Witness: The proper No. 3 Mr. Buckle made No. 4. When Kemp asked for No. 14 he asked for it for himself. I said this before the Horowhenua Commission. We understood that the persons before us were owners. They were represented to us to be the owners. The conductor of a case was usually called a spokesman. Kemp was also a principal, but his position before us was that of trustee. The fact of those present calling out "Aye" was proof that they were owners. There was nothing hole-and-corner about any of the subdivisions. They were all quite public. We called for objectors to our