

Cross-examined by Mr. Stevens.

Witness : I do not know where the Court went from to Palmerston in 1886. I do not know that it had been sitting at Foxton, not the same Court. We were at Te Awapuni when the Court opened at Palmerston. Kemp was there with us. I do not know who applied for the partition of Horowhenua. We did not receive a *panui*. Wiki Keepa came to Horowhenua herself, and took us to Te Awapuni. I believe Kemp caused the Court to go to Palmerston. We saw Mr. McDonald at Mr. Palmerson's house at Palmerston. We held discussions before the Court opened, as I stated yesterday. I do not know that Mr. McDonald asked the Court to adjourn from Foxton to Palmerston. I was at Horowhenua at that time with my tribe. It was when the Court went to Palmerston that I went there. We did not instruct McDonald to apply to Court at Foxton to adjourn to Palmerston. The Court was sitting when we discussed the three subdivisions at Palmerston. This was before we went into Court. We discussed and arranged the hill blocks as well. I believe one of the first three blocks was for the township, another was for the railway. The third was for the descendants of Whatanui. We did not know exactly what the railway company were to have a section for. McDonald did not tell us at the time. He may have told Kemp. I stated before the Horowhenua Commission that No. 14 was for Kemp himself. We agreed outside the Court that descendants of Whatanui were to have 1,200 acres east of the railway. McDonald applied for the orders for the three sections just referred to. The descendants of Whatanui refused the 1,200 acres at Ohau because it was stony. Pomare and Heni Kipa refused it. I heard the application was made on behalf of Pomare in Auckland. Pomare, from Auckland, was not here at time of Court. Hare Pomare, Heni Kipa, and Ru Reweti were present at the Court at Palmerston. Ru Reweti did not object. Nicholson made his objection in Mangakahia's Court when it was proposed to make an order for the 1,200 acres. The objection arose when the position was indicated to Nicholson, perhaps on the map, but I did not see any map. Judge Wilson overruled his objection. I do not know what the numbers were of the first three blocks applied for. They were not then referred to by numbers. One of the blocks was the 1,200 acres at Ohau. I am not clear that it was this block that Nicholson objected to. I do not say that he objected to the position of the 1,200 acres; he asked to be allowed to see where it was. I did not see any map. The map was not shown to Nicholson, because the Judge considered that he had no right to apply. The Court may have adjourned after that or not, I cannot say. I am referring to Mangakahia's Court. It was at that Court that the 1,200 acres was arranged for the descendants of Whatanui. I do not know the date of the cutting-off of the second piece of land for descendants of Whatanui after they had refused the first section. It was about the same time that the first section was dealt with—the same year. We gave the land to Kemp at the same time, the Ngatiraukawa having rejected it. It was agreed to give the 1,200 acres at Ohau to Kemp after the section at Raumatangi was disposed of. The Ohau section was given to Kemp for Whatanui's descendants at Mangakahia's Court. They rejected it, and it was then given by the people to Kemp. I think this was also in Mangakahia's Court. I remember Lewis coming to Mangakahia's Court. I do not remember his withdrawing the 1,200 acres from the Court, but he had meetings with the Ngatiraukawa. I said that the 1,200 acres at Ohau was for Kemp himself. I will not say what Kemp's ancestral claim to it is, or whether he has any. Kemp has a right by occupation to Papaitonga. Buller is now keeping his fires alight. He has occupied Papaitonga and cultivated at Waiwiri. It was given to Kemp because the land was under subdivision; and as Kemp had no other allotment it was given to him. The land was divided by voluntary arrangement, without reference to occupation. Kemp had no other portion, and this was allotted to him. I did not hear Wirihana Hunia agree to Kemp having it; nor did he object. Makere te Rou agreed to Kemp having it; but before the Commission sat some one influenced her to say that she did not agree. Persuaded her to lie. I do not know who did it. [Horowhenua Commission, page 93, question 320 read, with reply.] I remember giving that reply. I think now that the 1,200 acres at Ohau was awarded to Kemp by Kahui's Court. I think the 1,200 acres at Raumatangi was set apart for the Ngatiraukawa by Mangakahia's Court. The section at Raumatangi was awarded first. I remember that Hitau objected to it because it was sandy. Kemp said: "Leave it to me, I will consider it." I do not remember how long he was considering it.

Cross-examined by Henare Apatari.

Witness : Wharariki and her sister were of the same rank as ourselves. We are all rangatira. Their descendants are living, Te Paki and others. Hoani Nahona is one. I have said in all the Courts that I was born on this land. I went to Arapaoa, not because I married a woman belonging to that place. I went as a rangitira with other Muaupoko, not as a slave. We lived at Arapaoa a considerable time. Returned here at time of Te Kuititanga. I was present at Foxton Court in 1873. Did not give evidence. I said that Muaupoko at one time had rights from Otaki to Manawatu, and that Whatanui lived under the mana of Muaupoko. The Ngatiraukawa are now living on each side of us; Muaupoko are in the middle. The Court put us here. The evidence upon which we were confined to Horowhenua is in the minutes of the Foxton Court. There were five tribes before the Foxton Court—viz., Ngatiapa, Ngatikahungunu (two divisions), Rangitane, and Muaupoko. Members of all these tribes were admitted as owners. Some of them are now on the hills. The registered owners were not all at Palmerston. There was no necessity. The Muaupoko were the proper people to arrange the partition and give what they chose to the others. As I understand that, No. 11 was awarded to Kemp and Warena as trustees. The 800 acres was awarded to Kemp. He asked us for it at Palmerston. He placed that burden of his upon us, his tribe. He required it to pay his debts. He made it clear that it was to pay debts incurred over Whanganui lands, not in connection with Horowhenua. I think we were justified in doing this; we did it out of love. I think we treated the *takekores* liberally in putting them on the hills; we need not have given them anything. Kemp has always arranged with the tribe before taking any action in connection with