

we would be benefited by Europeans occupying it. You can see the result yourself. The Europeans living amongst us. It would not be right to say that this land was for Kemp himself, although he has sold it, and has not accounted for the moneys. The Muaupoko have never made a claim upon Kemp for the money. It was never spoken of by Kemp's tribe. The matter was brought before the Horowhenua Commission at the instance of Europeans—not by the tribe. The allotment of the 800 acres to Kemp is quite clear. It was to pay his debt to Sievwright. He asked the tribe for it, and they could not refuse his request. It cannot be said that the land was for himself. He is not living on it. I have said that the tribe consented to the 1,200 acres at Ohau being awarded to Kemp for the descendants of Whatanui. This was outside the Court. I repeat that I do not know that an order was made for this purpose. Kemp would know. I am speaking of what the tribe did outside. I do not know what took place after the Ngatiraukawa made their objection. The descendants of Whatanui commenced to quarrel among themselves about the division of their land. The tribe handed it over to Kemp to give to the descendants of Whatanui after they had refused the parcel at Ohau. After they objected to the block at Ohau another parcel was given to Kemp for them. The 1,200 acres at Ohau did not become Kemp's own when we gave it to him for the descendants of Whatanui. He was to give it away. Kemp asked us, as a chief, to consent to all the divisions of Horowhenua. Kemp asked us to discuss the question of the 1,200 acres at Raumatangi. We consented, and he took it into the Court. We were there also. Did not know that it was necessary that an order should be made for it to prevent any one interfering with it. We did nothing in writing to signify our consent; we gave the land verbally, as our ancestors would have done, and there was an end of it. It was the 1,200 acres at Ohau that was given to Kemp for himself after the descendants of Te Whatanui had refused it. It was when they refused it that Kemp got his mana over it. I know nothing of your elders killing Takare and another at Papaitonga. I never heard it. Ask Kemp, he might have heard of it. I am not prepared to say that the shares of the owners of No. 11 should be equal, or that those who have received substantial interests in other portions of the block will get the largest interests in No. 11. I will see when the time comes. I was present at the Foxton Court in 1873 when Horowhenua was before it. 100 acres were awarded by that Court to the descendants of Whatanui. This was in fulfilment of the promise of Taueki. The Muaupoko chiefs agreed to it, as they did to the 1,200 acres afterwards. Te Watene's settlement is on the 100 acres. The land was known to us as the Mauri. The houses at Kouturoa belonged to Te Maunu, but Watene occupied them. The Ngatiraukawa burial-ground is on the 100-acre section. It was partly the burning of Te Watene's whare that caused the trouble between Ngatiraukawa and Muaupoko, but Watene wanted to claim the land also. The law was appealed to, but Watene was not satisfied, and continued the Maori methods of preferring a claim. The Ngatiraukawa have always claimed this land under the law; but the law having given the land to us, if they still persist it will be in defiance of the law. I believe the Government paid the Ngatiraukawa some money to induce them to cease quarrelling with Muaupoko; the land was given to them through *aroha*. I saw the money paid in Wellington in the presence of Matene, Karanama, and others. The trouble ceased after that. The people from here who saw the money paid were myself, Kawana Hunia, and Kemp. The trouble was between us and the Ngatiraukawa. I never heard that the money was paid to Ngatiraukawa because the Ngatiraukawa suspected that the Government had connived at the burning of Watene's house. I have heard that there was an agreement between Sir D. McLean and Kemp by which the Ngatiraukawa were to get additional land. I did not hear that it was to prevent further trouble between Ngatiraukawa and Muaupoko.

To Court: I stated that the work done by Mangakahia's Court was the setting apart of three parcels—(1) The railway; (2) 4,000 acres for the town; (3) 1,200 acres for Te Whatanui's descendants at Ohau. I do not know the reason why Mr. Lewis took the 1,200 acres out of the Court; all that I know is that the descendants of Whatanui refused the land at Ohau, and then a parcel was offered them at Raumatangi, and that the 1,200 acres was finally located there for them. I understand the question you put about the 1,200 acres being dealt with by Mangakahia's Court. I do not know that Judge Wilson's version of what took place before that Court is more correct than mine. Judge Wilson may possibly be correct. I am probably unaware of what actually took place. The 1,200 acres allotted to Kemp was for the descendants of Te Whatanui. It was after Te Whatanui's descendants refused the 1,200 acres at Ohau that it was allotted to Kemp. I do not know the date, but it was probably at Mangakahia's Court. It was after the 1,200 acres had been allotted to Kemp for the descendants of Te Whatanui at Raumatangi that the 1,200 acres at Ohau was allotted to him. I mean by saying that Kemp took the land that it was allotted for himself.

The Court adjourned till 10 a.m. of the 8th instant.

MONDAY, 8TH MARCH, 1897.

The Court opened at 10 a.m.

Present: The same.

No. 1, Horowhenua No. 14, resumed.

The Court announced that Hamuera Karaitiana had been authorised to appear for Rihipeti Nireaha, *alias* Tamaki.

Special license granted to Hamuera Karaitiana.

Mr. J. M. Fraser asked to have his position defined; he did not wish to cross-examine any of Sir W. Buller's witnesses, but would like to be able to cross-examine any witnesses antagonistic to the tribe or to Kemp's case. He denied the trust.

The Court stated that Mr. Fraser would have the right to cross-examine.

Sir W. Buller will call Major Kemp.