

us after No. 4 was awarded. I brought all the other divisions before the Court myself. I meant the 500 odd acres for Hamua. I rely upon the minutes of the Court. They will show which of us is right. No. 4 was the last division you brought before the Court. I remember distinctly the numbers each of us applied for, and the time we quarrelled. I paid you what I owed you, and we parted after the quarrel. You did not present me with a bill, but I gave you a sum of money. I think it was £10. You said I was very good. I have a clear recollection of what took place at Palmerston in 1886, both outside and inside the Court. I have not misled the Court with regard to what took place before the Court of 1890. Donald Fraser never approached me before 1890 with a view to making adequate provision for the tribe. I have never refused any proposal to make proper provision for the tribe. That is a misstatement. I am the only one who has advocated that course. I never proposed to Donald Fraser and yourself that Warena should take a certain area and that I should have the rest. You and Fraser came to me about the matter, but nothing came of it. I have always held that Warena and I were trustees. I said so frequently before 1890, but my lawyer did not put it in the pleadings in the Supreme Court of 1889 at Wanganui. Mr. Southey Baker was my lawyer in that case. I told Muaupoko and others that Warena and I were trustees. It is you that have always contended that there was no trust. I don't suppose that I told you and Fraser that I was a trustee. You were my enemies. When No. 11 was set apart in 1886 I stood before Muaupoko and said: "Your heads have been in my hands, my feet have been upon your bodies; the reason I had my own name only put in is that I knew some of you would sell. You are my father's tribe, and this is the only land you have. You have none elsewhere. Now, I am going to lift your heads up. Each of you will get something in the other divisions, and No. 11 is the balance, which is for yourselves to keep. If you sell in the other portions of the block you will get nothing in this." This shows that I looked upon myself as a trustee. I don't remember telling you before the Court of 1890 that I was a trustee. I told my lawyer that I was, and that the land belonged to the people. I did not convey my share of No. 11 to the people after rehearing Court of 1890 because I knew that you were trying to get an undisputed title for Warena to his share, and I wanted to prevent that. Hoani Puihi asked me to allow my portion to be transferred to the people first, but I said "No, let me see you give yours first so that I may be clear." Ranginairehau said that he had received my share, and asked the other side to give up theirs. I consider that I have acted rightly in agitating until a trust has been declared. I agreed to allow Warena to take 3,500 acres for himself because I was importuned by Donald Fraser. I was also to have 3,500 acres; the rest was to go to the tribe. The arrangement fell through when they came back and suggested that we should pick the best of the land, and put the tribe on the sandhills. Donald Fraser and Wiri-hana said that the 3,500 acres should be for Warena only, and that Wiri-hana and his sisters should share with the people. I would not agree to this at all, and the matter dropped. After the rehearing Court, Donald Fraser asked me to come to Horowhenua to see if we could arrange the matter. I met Fraser and Warena's lawyer, Mr. Barnicoat, but nothing came of it. I agreed that Warena and I should each have 3,500 acres, but I intended to consider others. No. 14 is different to No. 11. The former was awarded to me for myself alone. I remember the meetings outside the Court in 1886. Palmerson had a map, and showed it to me. The divisions shown on the first map were wrong; they were therefore shown correctly on another plan. We took a plan to the Court on the 25th November, 1886. There were three divisions shown on it—(1st) The railway, (2nd) the township, (3rd) the 1,200 acres at Raumatangi. The 1,200-acre section at Raumatangi was shown on the map taken to Mangakahia's Court. I am sure of this. You took the plan into Court. I remember Lewis giving evidence at Court of 1886. It was Lewis who produced the agreement, and reminded me that the land was to be at Hokio. This was in Palmerson's house. I do not think he showed me the agreement then. He did later. It was after I had agreed to give the descendants of Whatanui the land at Raumatanga, and after they had refused the land at Ohau as being stony, that Lewis spoke to me about the land being located at Raumatangi. This all took place before we went into Mangakahia's Court. It was in consequence of Pomare's objection to the land at Ohau that I agreed to its being located at Raumatangi. I had agreed to the change before Lewis spoke to me, and I told him so. It was shown upon the plan and called No. 3, and was afterwards changed to No. 9. We took the plan into Mangakahia's Court, showing the 1,200 acres marked No. 3 at Raumatangi. [Vol. 7, page 185: Order made in favour of Keepa Rangihwinui for 1,200 acres, &c.] If that was in Mangakahia's Court you handed in the tracing. If you say the No. 3 that was shown on that tracing was the 1,200 acres at Ohau, you are wrong. That 1,200 acres was the last piece ordered. Nicholson's objection was to the boundaries of the piece at Raumatangi. It was in Kahui's Court. I don't remember his making any objection in Mangakahia's Court. I don't say the minutes of the Court are wrong. I am giving you my version, what I remember. I paid the £3 for the orders to Mangakahia's Court. Ranginairehau was wrong if he said that the 1,200 acres at Ohau was the first piece taken into Court for descendants of Whatanui. Judge Wilson would not say so. [Vol. 7, page 185.] That was an application for the 1,200 acres at Raumatangi. The orders made by Mangakahia's Court were not final, and it was necessary to make them again. This section came before the Court the second time on the 1st December, 1886. Objection was made by Hitau to the boundaries, and it stood over for a time. The section at Raumatangi came before the Court twice on the 1st December, the first time the boundaries were objected to, and I promised to alter them. The first application was made for this section in Mangakahia's Court, and I paid £1 for the order, but it was not finally made by that Court. [Vol. 7, pages 187, 188, read out.] My recollection is that when the boundaries of the parcel at Te Raumatangi were adjusted the order for it was made. Hitau objected to the boundaries at first. This was in the morning. Nicholson objected at the same time. It is not my fault if the Court minutes do not mention the objection made by Hitau. [Minutes of Mangakahia's Court again read to witness.] I am telling you what I know to the best of my ability. I am speaking from recollection, without having referred to any documents.