

and leave them to decide. Kemp told Warena and his pakehas this directly he entered their room. Both parties agreed there that the proposal should be submitted to the people at Horowhenua. I think this was in May, 1891. We then came to Horowhenua: Warena, Wirihana, and Donald Fraser followed the next day. Before Warena and party arrived, Kemp had informed the tribe what the proposals made at Palmerston were, and added that if the tribe approved them he would agree. On the arrival of Warena, Wirihana, and Donald Fraser, one of the tribe—I think it was Rangimairehau—told them that Kemp had made known their proposals to the people, and said that the tribe considered them fair. Wirihana and Donald Fraser went behind the meeting-house by themselves and had a conversation. When they returned Wirihana spoke and said that he was pleased at the decision come to by the tribe. Before this Donald Fraser had intimated that he would have nothing to say to the tribe, as they were not in the title. He could only negotiate with Kemp. Wirihana went on to say that the 3,000 acres should be for Warena only, and that the other members of the Hunia family should go into the other portion of the block with the tribe. This was not approved of or agreed to. After some discussion Wirihana consented that the 3,000 acres should be for the whole family, provided they got part of the lake. He agreed on behalf of himself and family. The tribe did not consent to his demand for a part of the lake, and the meeting broke up without anything definite being done. No. 6 was spoken of at the meeting. I think Te Paki referred to this section. He suggested that the list of names of the *rerewaho* handed by McDonald to the Court at Palmerston should be adopted. J. M. Fraser said that the list of names referred to was not satisfactory. Some of the persons in the list were not entitled to participate in No. 6. He contended that the list was not given to the Court at the proper time. Kemp would not agree to the list of names being accepted as it was, and the discussion ended without finality. This was all I heard at the meeting—the only subjects I heard referred to at the meeting. I did not hear Waata Muruahi's evidence before the Royal Commission. [Horowhenua Commission, page 275, questions 290 to 297, and replies, read.] All I can say about that is that No. 14 was not mentioned at all while we were present. It may have been referred to after Kemp, Fraser, and myself had left. I think Donald Fraser left with us. The meeting broke up, and we returned to Wanganui. [Horowhenua Commission, page 275, questions 282 and 283, with replies, read.] I was present the whole time. I never heard that said about No. 14. I did not hear No. 6 discussed. I must have heard it if it had been. I was there from first to last explaining to the people. I did not hear Kemp ask that the 1,200 acres set apart for Ngatiraukawa should be given to him. I must have heard it if he had made the request. No. 14 was not mentioned at all. No. 6 was the only division discussed besides No. 11. I was present at the Court of 1886, but did not take so much interest in this matter then as I do now. I happened to be at some of the meetings outside the Court. The meetings I was interested in were those where our land was discussed. I remember Kemp proposing to cut off on his map the piece for us at Ohau. Palmerson laid off the division on the map. I knew the locality, and told Hare Pomare and Heni after it had been delineated on the plan without a number. They probably told Te Aohau and Hitau, because just afterwards I heard Hitau, Te Aohau, Waretini, and others of our people objecting to it outside the Court. Te Aohau and others came to me and urged me to object to it, and said they intended to object to it as it was very stony. I said it did not matter to me where the land was situated, so long as we got the acreage. Later on Heni Kipa and Hare Pomare came and told me that they would see Kemp and ask him to give us the land adjoining Raumatangi already awarded by the Court. After they had seen Kemp they came and told me that Kemp had agreed, after a stiff talk, to their request to have the locality of our land shifted to Raumatangi. While Heni Kipa and Hare Pomare were with Kemp, I was amusing myself. At that time I suggested to Hare Pomare that he should ask Kemp to give us some sections on the railway-line. Kemp would not consent unless the area of the sections was deducted from the 1,200 acres at Raumatangi. Nothing came of this. The matter dropped. Subsequently 1,200 acres at Raumatangi was laid off for us on Kemp's map. This section, as delineated, I believed would contain a large proportion of sand. About this time Mr. Lewis, who had previously been at Palmerston and gone away, returned to Palmerston. He told Kemp that it was wrong to give the descendants of Whatanui the 1,200 acres at Ohau, as it was a condition of the agreement that the land should be near the Horowhenua Lake. Kemp said that the matter had been settled, and that the land was to adjoin Raumatangi. Mr. Lewis approved. I don't remember mentioning the 1,200 acres to Muaupoko myself, but they knew that the land was to be at Raumatangi. It was spoken of publicly. I am not able to speak positively about whether any blocks had been before the Court while this was going on, but it was before Lewis arrived that the change was made. Mr. Lewis went into Court to approve of the land being at Raumatangi. We and the whole of the Muaupoko were living in a barn at Palmerston at this time. Kemp came in and spoke about the piece of land at Ohau that was cut off for us. I was near the door when he entered the barn, and he sat down by me. He suggested to his tribe that the Ohau land should be for him. Then Kiritotara arose and said "Who can object to your *korero*?" She made a long speech, but it was all in support of Kemp's request. None else stood up to support or object to what either Kemp or Kiri had said. Hoani, Rangimairehau, and all the elders of Muaupoko who would take part in matters of the kind were present. I don't remember what happened in Court. I have been in communication with Muaupoko ever since. I have never heard any of the Muaupoko object to Kemp having No. 14, either at meetings or in private. It was when the Commission was sitting that I first heard it stated that Kemp held No. 14 in trust.

Cross-examined by Mr. McDonald.

*Witness:* I am interested in the dispute that has been going on between the descendants of Whatanui. I saw the Ohau section for us shown on the plan. Before Lewis came up Kemp had