

*By Mr. Pownall* : It is not a Native custom for the chiefs of a small section to dispose of land belonging to others. The persons who sold only represented a small section of the people. The money received for the Turakirae Block was distributed to all the people who were entitled, but the money received from the reserves was not distributed in that way. Besides Raniera and Tamihana—the persons who sold the reserves—there were a number of other influential persons who did not receive any share, viz., Matenga Kainoke, Hohaia te Rangi, Piripi te Maari, and a number of others; Mitai Poneke was another. My remembrance of the receipt was that it was a receipt for the payment of the balance, but not that it was a final disposal of all our claims in the block, excepting the 5-per-cent. payment on the resales secured to us under the terms of the deed.

*Wi Hutana* (sworn) : I am an owner of the lake, but all that I know about the circumstances connected with it is from information received from the old people, Hiko Piata, Hemi te Miha, Raniera te Iho, and others. What I heard about the sale of the Turakirae Block was that the boundary on the lake side should be at the high-water mark. What I heard was that Mr. McLean wanted to fix the boundary along the boundaries of the lake, but the Natives contended that it should be at high-water mark, the reason being that they wanted to preserve their eel-fisheries on the low ground. I do not know about the Tauherenikau or the Kahutara Blocks. I have heard of the sale of the Turakirae Block; the high-water mark was the boundary. After the sale the land about the lake was upheaved by an earthquake. A good deal of land was reclaimed by the action of the earthquake. In some places there is a wide space of dry land, in other places it is not so wide. Mr. McLean said, in reply to the request of the Natives, that they should consent to the boundary being taken along the margin of the lake, but I am unable to say what was finally agreed on; but the Natives have always told me that high-water mark was the boundary they claimed to. In some places the distance between the old and present high-water mark is about four miles. On the west side of the lake the flood-line did not extend to a very great distance, because the land slopes on that side, but on the east side the country is flatter and the flood extends further inland. Could not form an estimate of the land that lays between the present and former high-water mark. Consider that there is possibly 20,000 acres now left dry. This quantity that I describe is only my own estimation. All the land along the boundary of the lake was more or less effected by the earthquake. It is all occupied by the Europeans, and they consequently complain if the lake gets blocked up, as it limits their pasturage. The contention of the Natives is that the Europeans have no right to this land. I know of a subsequent sale of land within the Turanganui Block called Te Puata (Taheke), inside the land beyond high-water mark. The persons who sold this block were Te Manihera Rangitakaiwaho, Waka Tahuahi, and Rihari. The two latter were old men, and put the sale of the land in Manihera's hands, and he sold it to the Government. Was not an applicant to the Court in 1882 to have the lake dealt with. Remember Mr. Fitzgerald applying, on behalf of the Government, to have the part it claimed cut off. I know of the first opening of the lake. It was a matter of agreement made with me. This was in 1876. The Europeans believed that the Government had acquired the lake, but were not sure, so they came to me about it; but while the question was unsettled the waters rose, and Mr. Hume offered me £40 to open it. The reason why no action was taken in former years was because the settlers were few, and their stock were not so numerous as now. I made two arrangements with the Europeans for £40 each time, but I do not know what sums were paid subsequently to Hemi te Miha and Piripi te Maari. On one occasion the settlers not only paid a sum of money for opening the lake, but they gave the Natives a bullock. In 1871 I was at the mouth when the lake burst out. At that time the only persons who had stock on the low land was Mr. Hume on the east side, and Mr. Matthews on the west. In those days we used to warn the settlers to remove their stock inland when the lake flooded. We were good friends then with each other, but afterwards, when land became more valuable for grazing purposes, differences arose about opening the lake and changed the condition of affairs to the period I alluded to, when we used to make terms with the settlers to open the lake. Afterwards the River Board took action in the matter and opened the lake without consulting us. This was the first time the *mana* of the Natives over the lake was trampled on. Did not hear that the spit from Kiriwai to Okourewa was included in the sale. Was told by Mr. Butler that the boundary went to the Rere o te Mahoe, and if that is not on the spit that part was not sold. The part where the River Board opened the lake was on the spit. It was during the fishing season that the Board opened the lake.

Commission adjourned till Monday, the 27th instant.

---

MONDAY, 27TH APRIL, 1891.

Commission resumed at 9.30 a.m.

*John Purvis Russell* (sworn, examined by Mr. Pownall) : I live at Whangaimoana. Was present when Mr. McLean negotiated the purchase of the Turakirae and other blocks—four in all. I was acting as clerk to the Land-purchase Commissioner. I wrote all the deeds in 1853—viz., Turakirae, Turanganui, and Tauherenikau. The boundary is the fresh-water lake of Wairarapa, I cannot state now the boundaries in the deeds, but I know there was a great difficulty experienced with the Natives in getting them to part with the country adjacent to the lakes, because of their eel-fishing, as they were afraid the lake would be closed. He wanted them to sell the lake, but they declined, and it ultimately resulted in a promise being made that the lake should not be opened while the Natives were engaged fishing. Could not say whether I was on the hill alluded to by Hemi te Miha with Mr. McLean and others. Do not remember going up this hill. Do not know what discussion took place about pointing out the boundaries of the land proposed to be sold to the Government, but I know positively that Mr. McLean told the Natives that the lake was not to be opened. It was in consequence of my knowledge of this arrangement that I subsequently went