

and caught eels and cultivated. I know Waiwiri kainga. It is on north side of Kemp's boundary. I think Heni te Rei was mistaken if she said it was south of Kemp's boundary. I remember dispute in 1874. I was living at Muhunoa then. There were people living at Waiwiri at that time on this land. Te Puke was the elder living there; Waretini, myself, and others were with him. The trouble of 1874 arose between Watene and Muaupoko. Remember houses being burnt at Kohuturoa, and afterwards at the boundary of Otawhaowhao. The houses at Te Puke and others were burnt at latter place by Muaupoko, who also destroyed the cultivations and fences. The potatoes growing were pulled up. I can give names of eel-pas between the boundaries: Te Karaka, an eel-pa on the Waiwiri Stream, near Papaitonga; Te Kahika, another eel-pa further down the stream; Te Mapau, an eel-pa; Te Whakamate, an eel-pa; Te Rere, an eel-pa; Te Karetu, an eel-pa; Whakamaungaariki, an eel-pa; Te Uku, an eel-pa; Te Karamu, an eel-pa. Latter is near the sea. They are all on Waiwiri Stream. The people I have mentioned made use of these eel-pas. Eels caught in the pas were sent to Matene te Whiwhi. I never saw Muaupoko catching eels at these pas. Never heard that they did. Muhunoa has always been my home. Aperahama te Ruru had a claim to the land between the boundaries. He had cultivations there. There were fights in old times between Ngatiraukawa and Muaupoko at Papaitonga. Some of those I have mentioned took part in them. Matene te Whiwhi used to live at Waiwiri and Mahoenui at times, but his principal kainga was at Otaki. His *mana* was over the land. Chiefs did not work. All the people I have named leased the land. I do not think any others joined in the lease. Hikake was my aunt. She adopted me, and I lived with her. John Knocks was the lessee of the land at time of disputes. I believe so. Hector McDonald's sheep were running north of Waiwiri Stream in 1874. He had the lease of the land north of the stream. Te Puke Matene leased it to him. Te Whatanui leased the land north of Mahoenui boundary to McDonald. Te Puke lived at Waiwiri on this land, after he returned from Wellington in 1874, until his death in 1886. I heard of an agreement to give Ngatiraukawa reserves on this land. Heard Te Puke, Nicholson, and others who went to Wellington speak of it.

Cross-examined by Mr. J. M. Fraser.

*Witness*: What does it matter to you who my mother was. Ngahue was my father. He was a Ngatimaihi, hapu of Ngatiraukawa. Ngahue joined the Ngatiraukawa in the conquest of this country. They claimed the land by conquest. My father lived at Otaki; he left me with his sister. I have no personal claim to this land. I claim with the others because we cultivated together. Te Puke claimed the land in 1873 for Hikake and others. I was at Court of 1873. The Ngatiraukawa claimed from Rakauhamama southwards to boundary of Muhunoa No. 3. Te Puke did not speak in the Court at Foxton in 1873. I did not hear any of these now claiming with me prefer a claim to this land in Court of 1873. I did not hear at Court of 1873 that Muaupoko boundary commenced at Waiwiri. I heard the Court say that the land down to Waiwiri was awarded to Muaupoko. I lived at Muhunoa with Te Puke from time of Court until the survey was made. I remember the survey of Waiwiri; I was there. We spoke of the boundary being wrong before survey was made, and determined to resist the survey. I accompanied Te Puke to mouth of Waiwiri Stream when Kemp put his post up there. We made threats against Kemp then. Kemp told us that if we allowed the surveys to be made he would provide reserves; that is why we allowed it to proceed. Te Puke went to Waiwiri to prevent the post being put up. I did not hear Kemp say to Te Puke that he had come to put up the post, as he had informed him he would do. It was an iron post that was put in. It is there now. There was no dispute about it other than I have mentioned. The surveyors were there at the time. I heard that a post was put in by Ben Stickels previously, some distance south of Waiwiri. It was in 1874 that Te Puke and others ceased to live at Mahoenui. The houses were built long before Court at Foxton. The houses burnt at Otawhaowhao in 1873 were erected before the judgment of the Court in 1873. I say this on my oath. Otawhaowhao was cultivated year after year to 1874. I cultivated there myself in 1873, and before. The houses were burned in 1873, before the Court commenced. The Muaupoko burnt them. I cannot say who their chiefs were. There were so many in the party. It was in 1873 the houses were burnt—just about time of Court, just before the Court gave judgment. Otawhaowhao is the name of a kainga and a lake. Mahoenui is name of locality. I have not heard who gave Otawhaowhao its name. Te Watene's houses at Kohuturoa were those burnt before the Court of 1873. The houses on boundary at Otawhaowhao were burnt in 1873, after Te Watene's. I cannot say how long after. They were not burnt at the same time. Watene's houses were burnt before the Court of 1873. The houses at Otawhaowhao were burnt before the Court of 1873 gave judgment—before we went to the Court. Watene's houses were also burnt before the Court. I am positive of this. We did not set up any claim to this land at Court in 1873 because the Muaupoko did not claim south of Rakauhamama in the *Kahiti*. I am sure of this, although I have not seen the *Kahiti*, or spoken to any one about, since 1873. I am still living at Muhunoa, the place where Te Puke lived before 1873 and down to the time of his death. Te Puke's son is living on the site of his father's house. Heni te Rei used to come to Waiwiri and return to Otaki. Her kainga at Waiwiri was close to Te Puke's. The houses that Te Puke and Heni te Rei lived in are north of Kemp's line. The houses that we are now living in are south of the line. I did not understand the question at first. The kaingas at Waiwiri before 1874 were north of the line, but when we heard that the land had been awarded to Kemp we shifted to the south of it. The potatoes were not planted at Otawhaowhao as a protest against the judgment of the Court of 1873. I cannot name any of our dead buried north of Kemp's line. I have seen Topeora; she died at Otaki in 1865. I never saw Topeora cultivating on this land. *Rangatiras* do not work. I have seen Topeora living at Mahoenui; cannot remember what year it was. It was before my beard grew. There were houses at Mahoenui then. I saw Topeora living in one; Te Paea in another. Aperahama te Ruau was there also. I went with Topeora. I