

30. *Hon. Mr. Carroll.*] With regard to this boundary of Kahukuranui, do you admit that that is a boundary?—Yes. I and my hapus have rights on the Kahukuranui side of that boundary.

31. Was that laid down before the gift to Iritekura?—Yes, while the land was still in the possession of Te Wahineiti, the people whom Pakanui subsequently conquered.

32. When the gift was made to Iritekura, did it interfere with that boundary?—No, no part of it.

33. Then, when it was included in the Waipiro Block as the estate of Iritekura, it was subject to the claims in consequence of that boundary?—Yes.

34. Is not the position this in regard to Tuta's claims in the Whanau-a-Iritekura portion: It all hangs on the question of the boundaries of the gift to Iritekura?—Yes.

35. If that side alleges and establishes the claim that the whole of Waipiro was included in the boundaries of the gift to Iritekura, then Tuta has no case?—That is so.

36. On the other hand, if he had been able to prove that the boundary was at Waikawa Stream, then of course he would have substantiated his claim under Pakanui?—Yes, he would have got the whole of the block, leaving perhaps a thousand acres outside of his claim.

37. But the whole thing rested on that question as to where the boundary was?—Yes. Tuta was never able to establish that boundary in any of the Courts. The Iritekura rights were so firmly established on that side that Tuta was absolutely unable to refute them. In the Akuaku Block, which is further on again, Ropata stated that his rights to that block were from Iritekura. Tuta's statements there were upset.

38. *The Chairman.*] Do you come by ancestry into this block that is in dispute?—No. I was put in by *aroha* through certain of my relatives who are owners in the land.

39. Is it unusual to include in any block strangers by blood?—It is quite a usual practice among the Maoris.

40. The non-inclusion of yourself and others who are not related by blood to the hapu—would that benefit Tuta?—No.

41. *Tuta Nihoniho.*] You have said that during the hearing of these several cases about this neighbourhood I was unable to refute the statements regarding the boundary I allege at Waikawa Stream: do you mean to say you do not know that in every instance the main ground of my case has been this boundary at Waikawa Stream?—That is what you said in the Courts, but the rights of Iritekura and her descendants proved stronger than your claims to land on the other side of the Waikawa boundary. Therefore your boundary was disallowed.

42. Do you not know that the old people of Te Whanau-a-Iritekura admitted that my statements were correct, and for that reason the land was divided?—I do not. If you had called those old people I probably should have heard them say so before.

43. Do you not know that it was you yourself who shut out these old people so that they should not give evidence in the Courts?—They all went out of the Court, and you never called any of them to give evidence. If you had called them they would have given evidence.

44. *Mr. Herries.*] When Tuta got the 11,000 acres was anything said about the Waikawa boundary? Was that taken into consideration at all?—The boundary was not upheld. The Court simply gave that award. The area so awarded to Tuta was 10,000, not 11,000 acres.

45. If the Court did not uphold Tuta's contention about the ancestral boundary, why did they award him any land at all?—I do not know. That is why we objected to the award and petitioned the House.

46. What boundary did they take? Did they take any well-known boundary, or was it a boundary fixed by the Court?—It was simply an arbitrary boundary fixed by the Court.

47. It was not a boundary asked for by Tuta?—No.

48. *Hon. Mr. Carroll.*] Did Tuta not claim that the boundary of the gift was at Waikawa Stream?—Yes.

49. And was the award in favour of Tuta identical with the Waikawa boundary?—No; it was right away at the other end of the block.

50. *Mr. Parata.*] If Tuta's people had not got 10,000 acres, what would have been the result? There was a little trouble, was there not, about the Waipiro Block?—If they had not awarded that area to Tuta and his people we should not have petitioned Parliament, and the award would have remained as it was.

51. Were not the two parties at that time about to take up arms?—Yes, Tuta was about to take steps of the kind at that time in order to force the Chief Judge to look into the matter.

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