Royal Commission to Inquire into and Report on Claims preferred by Members of the Maori Race touching certain Lands known as Surplus Lands of the Crown

GEORGE the Sixth by the Grace of God, of Great Britain, Ireland, and of the British Dominions beyond the Seas, King, Defender of the Faith,

To Our Trusty and Well-beloved Counsellor Sir Michael Myers, Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Hanana Tahangiwha Reedy, of Ruatoria, Farmer, and Albert Moekler of Auckland, Resident Commissioners,

Whereas, prior to the assumption of British sovereignty over the Islands of New Zealand, divers tracts or portions of the land therein were held by divers persons other than members of the aboriginal race (hereinafter referred to as land claimants) by virtue of purchases, or pretended purchases, gifts, or conveyances, or other titles either mediately or immediately from one or more of the Chiefs and other members of the aboriginal tribes inhabiting New Zealand, and whereas by divers instructions under the hand of one of His late Majesty's principal Secretaries of State, issued in pursuance of the Proclamations of the Crown in New South Wales and the Lieutenant-Governor of New South Wales, and other instructions in New Zealand it was in effect provided that titles to land in New Zealand should not be recognized which did not proceed from or were not or should not be allowed by Her Majesty; and whereas by the Land Claims Ordinance of 1841, Session 1, N. Z. L. C., certain areas of the said aboriginal land were patented, amounting to other things, that the sole and absolute right of pre-emption from the aboriginal inhabitants of the Colony of New Zealand vested in and could only be exercised by Her Majesty, and whereas by Her Majesty's gracious grants of land in virtue of any of the titles aforesaid in the said Colony of New Zealand which were held or claimed by the aboriginal title of the Crown and which were not or might not thereafter be allowed by Her Majesty, Her heirs, and successors, would not be allowed; and whereas, following upon a recital that Her Majesty had in certain instructions been pleased to declare Her Majesty's gracious intentions regarding claims to land in New Zealand might have been obtained on equitable terms from the said Chiefs or aboriginal inhabitants of the said Colony of New Zealand and which might be prejudicial to the present or prospective interests of the Crown, in exercise of the powers conferred on the Governor or other group of persons—the amount of such compensation should be appropriated and applied; and whereas by divers other Ordinances and Acts of the General Assembly further provision is made for time to time in the premises;

We, Our said Commissioners, in pursuance of these Orders, do hereby constitute, and appoint you, the said Sir Michael Myers, Hanana Tahangiwha Reedy, and Albert Moekler, to be a Commission—

(a) To inquire in a general way into the transactions by reason of which certain parcels of land, being demesne lands of the Crown, became surplus lands as aforesaid, and particularly into any specific transactions the terms of which may be brought before you by any person interested, including transactions relating to the lands referred to in the Schedule hereto, and to report whether, having regard to the circumstances in which the lands of which the surpluses formed part were originally alienated or disposed of by the aboriginal owners thereof, the surplus lands or any part thereof ought in equity and good conscience to have been or be retained by the former aboriginal owners thereof or have been and are regarded as Native land;

(b) To report that the surplus lands or any part thereof ought in equity and good conscience to have been or be retained or so regarded, then to recommend what compensation in money or money's worth should in equity and good conscience be granted in respect to any of the matters confided to you by these Presentes, you shall further report for whose benefit—that is to say, whether that any particular person, hapu, tribe, or other group or class of persons—the amount of such compensation should be appropriated and applied;

(c) To inquire into and report upon the claims and allegations made in the petitions referred to in the Schedule hereto so far as such claims and allegations are not covered by the preceding paragraphs of this order of reference, and to recommend what relief (if any) should be accorded in respect of the prayers of the several petitions.

And in any case where you shall see fit to recommend that compensation in money or money's worth should in equity and good conscience be granted in respect to any of the matters confided to you by these Presentes, you shall further report for whose benefit—that is to say, whether that any particular person, hapu, tribe, or other group or class of persons—the amount of such compensation should be appropriated and applied; and we do hereby appoint you, the said Sir Michael Myers, to be Chairman of the said Commission:

And for the better enabling you to carry these Presentes into effect, you are hereby authorized and empowered to make and conduct any inquiry under the hand of one of His Majesty's principal Secretaries of State, or as you deem expedient, with power to adjourn from time to time and place to place as you think fit, and so that these Presentes shall be held in execution at any time or place or upon such terms as you think fit, and you are hereby strictly charged and directed that you shall not at any time publish or otherwise disclose save to His Excellency the Governor-General, in pursuance of these Presentes or by His Excellency's direction, the contents of any report made or so to be made by you or any evidence or information obtained by you in the exercise of the powers conferred upon you except such evidence or information as is received in the course of a sitting open to the public:

And you are hereby authorized to report your proceedings and findings under this Our Commission from time to time if you shall judge expedient so to do. And, using all due diligence, you are required to report to His Excellency the Governor-General in writing under your hand, within the thirty-first day of March, one thousand nine hundred and forty-seven, your findings and opinions on the matters aforesaid, together with such recommendations as you think fit to make in respect thereof to time made in the premises:

And, lastly, it is hereby declared that these Presentes are issued under the authority of the Letters Patent of His late Majesty dated the eleventh day of May, one thousand nine hundred and seventeen, and under the authority of and subject to the provisions of the Proclamation of the Governor-General in New Zealand, and under the advice and consent of the Executive Council of the said Dominion of New Zealand.

SCHEDULE

(1) Petition No. 120 of 1923, of Heta Kiriwai and others, concerning the Aureere Block. (File N.D. 1924/438).
(2) Petition No. 180 of 1923, of Tamaera and others, concerning the Tamaera Block. (File N.D. 1925/27).
(3) Petition No. 183 of 1924, of Keita te Ahure, concerning the Whakangori Block. (File N.D. 1925/207).
(4) Petition No. 143 of 1925, of Rint N. Kawaihi and others, concerning the Opua Block. (File N.D. 1925/305).
(5) Petition No. 24 of 1927, of Kipa Roera, concerning the Manawaroa Block. (File N.D. 5/13/8).
(6) Petition No. 97 of 1938, of George Marinier and others, concerning the Teipau and Maramura Blocks. (File N.D. 5/13/135).

In witness whereof We have caused this Our Commission to be issued and the Seal of Our Dominion of New Zealand to be hereunto affixed at Wellington, this fifth day of October, in the year of our Lord one thousand nine hundred and forty-seven, and in the tenth year of Our Reign.

Witness Our Trusty and Well-beloved Sir Bernard Cyril Freyberg, on whom has been conferred the Victoria Cross (Victoria), Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight Commander of the Most Honourable Order of the Bath, Knight of the Most Distinguished Order of the British Empire, Companion of the Distinguished Service Order, Lieutenant-General in His Majesty's Army, Governor-General and Commander-in-Chief of the British Dependencies, acting by and with the advice and consent of the Executive Council of the said Dominion,

B. C. FREYBERG, Governor-General.

By His Excellency's Command—

P. FRASER, Prime Minister.

Approved in Council—

W. O. HARVEY, Clerk of the Executive Council.