



SUPPLEMENT
TO THE
NEW ZEALAND GAZETTE
OF THURSDAY, JANUARY 15, 1880.

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WELLINGTON, TUESDAY, JANUARY 20, 1880.

Proclamation relative to a Commission appointed under "The Confiscated Lands Inquiry and Maori Prisoners' Trials Act, 1879."

(L.S.) HERCULES ROBINSON, Governor.
A PROCLAMATION.

THE Governor, for the information of Her Majesty's subjects of both races throughout the colony, and more especially of those of the Native race now living between the River Waitotara and the White Cliffs, on the West Coast of the North Island, in order that the intentions of the Governor and the Parliament may be made known to them, directs the Act of the General Assembly to be published, which was passed during the last session of Parliament, intituled "The Confiscated Lands Inquiry and Maori Prisoners' Trials Act, 1879."

He also directs the Commission to be published which appoints three persons to inquire into the causes of discontent, and the promises to the Natives on the West Coast of the North Island which are said to remain unfulfilled.

This Commission is appointed in accordance with the will of Parliament, in order that any just ground of complaint which may exist on the part of Maoris may be removed, and peace may be firmly established between both races.

Acts of lawlessness have taken place which endanger the peace of the country, and prisoners are held in prison till the confusion is brought to an end. This confusion cannot be allowed to continue.

The Governor does not wish to return to war, or to retain the prisoners longer than is necessary in the interest of both races.

Rather he desires to cultivate the work of peace. For this purpose he has appointed as Commissioners

gentlemen of high position and of great experience in public affairs to inquire into the claims and promises which are stated to be unfulfilled.

They will, after full inquiry into these promises, report to the Government what they consider to be the just claims of the Maoris.

They will point out what they think to be grievances under which the Maoris are suffering, and they will suggest the lands which they think should be set apart for those who determine to live in peace.

The fullest opportunity will be given to all to urge their claims and their grievances before the Commission.

It remains for those who have those claims and grievances to bring them forward.

With them, and not with the Government or Parliament of New Zealand, will rest the blame if they neglect this opportunity.

The Governor desires to do justice, and to that end, in the name of the Queen, he calls on all her subjects to assist him in bringing about friendly relations between both races.

Given under the hand of His Excellency Sir Hercules George Robert Robinson, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same; and issued under the Seal of the said Colony, at the Government House, at Wellington, this twentieth day of January, in the year of our Lord one thousand eight hundred and eighty.

JOHN BEYCE.

GOD SAVE THE QUEEN!

AN ACT to make provision for Inquiry into alleged Grievances of Aboriginal Natives in relation to certain Lands taken by the Crown under the authority of Law, and for enabling the Governor in Council to postpone the Trials of certain Prisoners who have been committed for Trial for alleged Offences concerning such Lands.

No. 25.

[19th December, 1879.]

Preamble.

WHEREAS under the provisions of an Act of the General Assembly heretofore in force called "The New Zealand Settlements Act, 1863," and of the Acts amending the same, certain lands belonging to aboriginal natives on the West Coast of the North Island have been taken: And whereas some of such lands have been sold and disposed of, and other part thereof remains in the possession of the Crown: And whereas it hath been alleged by or on behalf of some of the said Natives that promises have been made by or on behalf of the Government of the colony in relation to the lands so taken, and that such promises have not been fulfilled: And whereas the said Natives have been for some time past and now are in a state of discontent, and disturbances of the public peace and other offences have lately been committed by certain of such Natives: And whereas it is alleged that such discontent may be removed by inquiry being made into the said alleged promises and grievances, and it is expedient that a Commission should be appointed for such purpose: And whereas a large number of aboriginal natives have been duly committed for trial at the Supreme Court at Wellington and elsewhere in respect of such offences, and are now confined in prison: And whereas it is also indispensable for the peace and safety of the colony that the ordinary course of law should be suspended, and the trials of the said Natives should take place under special legislation:

Be it therefore enacted by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

Short Title.

1. The Short Title of this Act is "The Confiscated Lands Inquiry and Maori Prisoners' Trials Act, 1879."

Governor may appoint Commissioners to inquire into Native grievances in connection with land on the West Coast, North Island.

2. The Governor in Council may, by Commission under the Seal of the Colony, appoint three persons to be Commissioners for the purpose of inquiring into all promises and engagements that have been made or are alleged to have been made by or on behalf of the Government of the colony to or with any person or persons in respect of the matters hereinbefore stated, or any of them, in so far as affects any lands or territory situated between the White Cliffs and the River Waitotara, on the West Coast of the North Island.

Commissioners' powers.

3. Every such Commission shall confer all usual and necessary powers and authorities upon the Commissioners, or any two of them, and shall provide that such notices be given, and times and places appointed for inquiry, as may be necessary to give effect to this Act; and shall require a report to be made within four months after the date of the Commission, setting forth the opinion of such Commissioners in the premises.

Remuneration to Commissioners.

4. The Commissioners shall be entitled to such reasonable remuneration for their services as the Governor may prescribe.

Commissioners' expenses to be appropriated by General Assembly.

5. The expenses of the Commissioners, and all other expenses, whether for travelling allowances, clerical assistance, witnesses' expenses, and all other expenses incurred in giving effect to the preceding provisions of this Act, shall be paid out of moneys appropriated for that purpose by the General Assembly.

Date of trial of certain Maori prisoners.

6. In order that the peace of the colony may be preserved, the Governor in Council may fix the date of trial of the said Natives so committed for trial as aforesaid, and may declare what number of them shall be tried at any one sitting of the said Supreme Court, and any such order may alter or vary as occasion shall require: Provided always that the date to be fixed for such trial shall not be subsequent to the expiration of this Act.

Governor may alter place of trial.

7. If it shall be made to appear to the Governor in Council that, for any reason, it is expedient that the place of trial of any of the said Natives shall be changed, then, notwithstanding any such committal as aforesaid, the Governor in Council may order that such Natives, or any of them, shall be tried in the Supreme Court at any other place in the colony where the Supreme Court sits.

Date of trial to be set forth in Order in Council.

8. The date and place of trial shall be set forth in the Order in Council; and the Supreme Court at which any trial shall be ordered to take place under this Act, and every Judge of such Court, shall have the same powers, jurisdiction, and authority in respect of any such Native, or the trial to be had under this Act, as if originally such Native had been committed for trial at the date and place named in the Order in Council.

Duration of Act.

9. This Act shall remain in force until sixty days after the commencement of the next session of Parliament and no longer.

Commissioners under "The Confiscated Lands Inquiry and Maori Prisoners' Trials Act, 1879," appointed.

(L.S.) HERCULES ROBINSON, Governor.

To all to whom these presents shall come, and to the Honorable Sir WILLIAM FOX, K.C.M.G., the Honorable Sir FRANCIS DILLON BELL, Knight, M.L.C., and HONE MOHI TAWHAI, Esquire, M.H.R., greeting:

WHEREAS by an Act of the General Assembly of New Zealand, intituled "The Confiscated Lands Inquiry and Maori Prisoners' Trials Act, 1879," after reciting, among other things, that under the provisions of an Act of the General Assembly theretofore in force called "The New Zealand Settlements Act, 1863," and of the Acts amending the same, certain lands belonging to aboriginal natives on the West Coast of the North Island had been taken, and that it had been alleged by or on behalf of some of the said Natives that promises had been made by or on behalf of the Government of the colony in relation to the lands so taken, and that such promises had not been fulfilled, and that it was expedient a Commission should be appointed to make inquiry into the said alleged promises, it is enacted that the Governor in Council may, by Commission under the Seal of the Colony, appoint three persons to be Commissioners for the purpose of inquiring into all promises and engagements that have been made, or alleged to have been made, by or on behalf of the Government of the Colony to or with

any person or persons in respect of the matters in the said Act stated, or any of them, in so far as affects any lands or territory situated between the White Cliffs and the River Waitotara, on the West Coast of the North Island: And whereas it is expedient that effect should be given to the hereinbefore in part recited Act: Now, therefore, know ye that I, Sir Hercules George Robert Robinson, Governor of the Colony of New Zealand, having confidence in your knowledge, ability, and integrity, and in pursuance and exercise of the power and authority conferred by the hereinbefore in part recited Act, do hereby, with the advice and consent of the Executive Council of the said colony, appoint you the said

WILLIAM FOX,
FRANCIS DILLON BELL, and
HONE MOHI TAWHAI

to be Commissioners for the purposes in the said Act mentioned, with the several powers and authorities hereinafter set forth; and, subject thereto, and to the said hereinbefore in part recited Act, to have and exercise the several duties and functions hereinafter mentioned, that is to say,—

1. In the manner and form hereinafter provided to inquire into, examine, and report upon all or any claims which may be brought before you for inquiry, or which you may be authorized to examine into, under these presents, touching any promise or engagement which has been made, or is alleged to have been made, by or on behalf of the Government of the colony to or with any person or persons in relation to any lands taken under "The New Zealand Settlements Act, 1863," or any Act amending the same, within that part of the colony or territory situated between the White Cliffs and the River Waitotara, on the West Coast of the North Island.

2. You are authorized and empowered to make and to hold any inquiry under these presents at any place or places within the territory situated between the White Cliffs and the River Waitotara aforesaid (so far as may be practicable), or at such place or places within the Colony of New Zealand as you may think most convenient and adapted to elicit full information respecting the matters which you may be called upon to inquire into under these presents: Provided that you shall appoint at least two places within the territory aforesaid where you will be prepared to hold inquiries hereunder.

3. Before you commence any inquiry under these presents you shall cause such notice or notices as you may deem necessary or expedient to be given, stating the day, time, and place or places on and at which you will be prepared to hear and receive any evidence or information which any person or persons may desire to offer or bring before you touching or concerning any promise or engagement made or alleged to have been made by or on behalf of the Government of the colony to or with any person or persons in respect of, or in relation to, any of the lands so taken as aforesaid and comprised within the territory hereinbefore mentioned.

4. You shall cause every such notice to be given both in the English and the Maori languages, and to be published in such manner and form, and at such place or places, as you may deem best calculated to give effect to these presents.

5. For the purposes of this Commission you are hereby empowered to call before you and examine on oath, or otherwise as may be allowed by law, all such person or persons as you may think able to afford you any information in relation to the premises; and all such evidence shall be fully and fairly taken down and transcribed in writing; and if taken in the Maori language, a full and accurate translation by a

competent person shall accompany the same, and be duly verified as correct.

6. Any person or persons presenting any claim, or bringing before you any matter for inquiry, shall be entitled to do so in such manner and form as you may from time to time prescribe.

7. You may also require any person or persons to bring before you and produce in evidence (saving all just exceptions) any books, papers, deeds, plans, or documents of which any Court of law might compel the production.

8. You are hereby also empowered in case no claim is made or evidence offered before you in respect of any such promise or engagement as aforesaid of your own motion to examine into and report upon any such alleged promise or engagement which may be in any manner brought to your knowledge, and although the same shall not be made or preferred by any person or persons; and in any such case you shall have and may exercise all and every the powers and authorities conferred upon you by these presents.

9. In giving effect to this Commission, you shall have full power and authority to employ such clerks, interpreters, and other persons as you may deem necessary for your assistance in the premises.

10. In case any inquiry under these presents shall be made and concluded by you, and it shall afterwards appear desirable for any reason that the same shall be reopened, you are hereby empowered to reopen the same, and all proceedings shall be taken in respect of such reopened inquiry as if it were an original inquiry: Provided that no inquiry shall be entered upon after the date fixed for the making of your report under this Commission.

11. And it is hereby declared that this Commission shall continue in full force and virtue, and you the said Commissioners may from time to time, and at any place or places within the said colony, proceed in the execution hereof although the inquiry be not regularly continued from time to time by adjournment.

12. And you are hereby required, with as little delay as possible, but not later than four calendar months from the date hereof, to report to me, under your hands and seals, your opinion, resulting from the said inquiry and the evidence taken thereon, of the several matters and things inquired into by you under these presents.

13. Lastly, it is hereby expressly declared that all the powers, authorities, and duties conferred or imposed upon you the said Commissioners may be exercised and performed by any two of you sitting and acting together.

Given under the hand of His Excellency Sir Hercules George Robert Robinson, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same; and issued under the Seal of the said Colony, at Wellington, this twentieth day of January, in the year of our Lord one thousand eight hundred and eighty.

JOHN BRYCE.

Approved in Council.

FORSTER GORING,
Clerk of the Executive Council.

GOD SAVE THE QUEEN!

