

1881.
NEW ZEALAND.

MIDDLE ISLAND NATIVE LAND PURCHASES

(REPORT OF THE COMMISSION ON).

[In continuation of G-7, Appendix to Journals of House of Representatives, 1880.]

Presented to both Houses of the General Assembly by Command of His Excellency.

No. 1.

APPOINTMENT OF COMMISSION

NORMANBY, GOVERNOR

To all to whom these presents shall come, and to THOMAS HENRY SMITH, of Auckland, and FRANCIS EDWARD NAIRN, of Nelson, Esquires, Greeting:

WHEREAS it is expedient that a Commission consisting of two persons, one to be nominated by the Governor, and the other by or on behalf of the Natives interested in the subject of inquiry, should be appointed for the purpose of making the inquiry hereinafter mentioned: And whereas the aforesaid Natives have nominated the person hereinafter secondly named to act on such Commission on their behalf:

Now, therefore, know ye that I, George Augustus Constantine, Marquis of Normanby, the Governor of the Colony of New Zealand, having full trust and confidence in your impartiality, ability, and integrity, in pursuance and exercise of all powers and authorities enabling me in this behalf, and by and with the advice and consent of the Executive Council of the said colony, do hereby appoint you, the said

THOMAS HENRY SMITH, of Auckland, and
FRANCIS EDWARD NAIRN, of Nelson,

to be Commissioners, by all lawful ways and means, and subject to the terms of these presents, to examine and inquire into the several matters and things hereinafter set forth, that is to say,—To inquire into and ascertain in what manner the “Ngaitahu” Block of land, situate in the Middle Island, was purchased by Mr Kemp and Mr Mantell, in or about the years 1848 and 1849, from the Native owners thereof, notwithstanding a certain order of reference, dated the 28th day of April, 1868, signed by the Honorable John Hall, on behalf of the Governor of New Zealand, and “The Ngaitahu Reference Validation Act, 1868,” and to examine all deeds and documents relative to such purchase, and in respect thereof to investigate and determine—(1.) Whether or not any promises or conditions within the legitimate scope of the instructions and authority severally granted to the aforesaid Mr. Kemp and Mr. Mantell, and made by either of them respectively on behalf of the Crown at the time of the aforesaid purchase yet remain to be fulfilled; and, if so, what is the amount of damage sustained by the aforesaid Natives by reason of such non-fulfilment. (2.) Whether any lands were reserved or agreed to be reserved and excepted out of the lands so purchased for the use of the aforesaid Natives; and, if so, whether such reserves have been made in terms of the original agreement in respect thereto, and, if not, what is the amount of damage sustained by the aforesaid Natives by reason of such reserves not having been so made. To inquire into and ascertain in a similar manner in all respects into the circumstances of the purchase, from the Native owners thereof of the following blocks of land, that is to say, the “Akaroa” Block, by Mr. Hamilton, in 1856; the “Otago” Block, by Captain Symonds, in 1844; and the “Murihiku” Block, by Mr. Mantell, in 1853; and generally, by all lawful ways and means, to examine and inquire into every matter and things touching and concerning the premises, in such manner, and at such time or times, and at such places, as you may appoint or determine: Provided that any such inquiry may be adjourned by you from time to time or place to place. And I do hereby authorize