

72. Perhaps we should add just a word or two regarding Mr. Shepherd's recommendations to the Native Minister of 15th September, 1941, on Judge Acheson's report. What we have said in this report agrees in a large measure with Mr. Shepherd's reasons for differing from Judge Acheson, but we desire to emphasize that we have not been in any way influenced by Mr. Shepherd's statement that "It is patent that if this particular sale can be attacked, many others might, by the same or similar tokens, be impeached" Had we come to the conclusion that the Maoris had satisfactorily proved their claim and that they had suffered an injustice which called for compensation, we would have said so, irrespective of consequences. It is sufficient to say that we have found ourselves, for the reasons set out in this report, unable to come to those conclusions or to make any recommendation in favour of the Maori claimants.

73. Although the Maoris have not succeeded, and we are unable to make any recommendations in their favour, we feel that their continuance in agitating their claims since 1941 has been due to the encouragement they received from Judge Acheson's report, which we have rejected. We suggest, in these circumstances, that it would be a gracious act on the part of the Government to pay towards the Maoris' costs and expenses out of an appropriate Maori Purposes Fund, or, if such a Fund does not exist, out of the Consolidated Fund, a sum not exceeding £300 in all.

74. A copy of the verbatim report of the proceedings before the Commission is in the hands of the Native Department and is available for perusal by Your Excellency's advisers. We have assumed that it is not necessary to forward a copy with this report.

We have the honour to be,

Your Excellency's humble and obedient servants,

MICHAEL MYERS, Chairman.

A. M. SAMUEL, Member.

HANARA TANGIAWHA REEDY, Member.

Wellington, 8th March, 1948.

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