

To His Excellency the Governor-General, Lieutenant-General Sir Bernard Freyberg, V.C., G.C.M.G., K.C.B., K.B.E., D.S.O.

MAY IT PLEASE YOUR EXCELLENCY,—

1. By the Commission of the 13th August, 1947, with which Your Excellency has honoured us, we are directed to inquire into and report upon three separate and distinct subject-matters, and we are authorized to report our proceedings and findings to Your Excellency from time to time if we judge it expedient so to do.

2. The block of land referred to in the Commission as the “Mokau” Block was one of the subjects for inquiry, and as it was represented to us that this was the most urgent of the various matters to be inquired into we decided to commence our investigation at the earliest possible moment. With the concurrence of counsel acting for the parties concerned, Kaikohe was fixed as the place, and the 1st October as the date, for holding the inquiry, and we sat accordingly on that day and continued our sittings on the 2nd, 3rd, 6th, 7th, 8th, and 9th, on which last-mentioned day the inquiry was concluded. We also, at the request of counsel, and in the company of most of them, made an inspection at various points on the block to which they desired to draw our attention.

3. In his opening address to the Commission, Mr. Hall Skelton, who took the leading part as counsel in the representation of the Maoris, after speaking of the inquiry made by Mr. Acheson, a former Judge of the Native Land Court, and the report thereon of the then Chief Judge, Mr. Shepherd, said that the Natives now were very delighted and had told him “they would like to tell the Court they were very pleased” with the personnel of the Commission, “and would be quite satisfied with its judgment.” We would add at this stage that every possible latitude was given to all the counsel engaged in the different sectional Maori interests in the presentation of their respective cases; and, knowing that the matter is an important one to the Maoris, and assuming it to be the intention of both the Government and the Maoris that our report is to be accepted as a final determination of this long-standing question, we have considered very carefully the material placed before us and the submissions of counsel, and, we feel justified in adding, with all possible sympathy towards the Maori claims.

4. It will be remembered that some months earlier—namely, on the 5th October, 1946—Your Excellency issued to us a Commission to inquire into the matter of “surplus lands.” During our inquiry in connection with the Mokau Block the question of surplus lands was mentioned at times by counsel, but, in actual fact, the matter of surplus lands has no relation whatever to the Mokau Block. This, indeed, is now common ground, and our only reason for referring to the point is to correct an erroneous statement in the report of Judge Acheson after his inquiry which has been mentioned in our last preceding paragraph and to which more detailed reference must be made later. In that report Judge Acheson said, under the title “Surplus Lands,” that Mr. Blomfield had raised the question and claimed that this particular matter of the Mokau Block was affected by it; and, after indicating various “surplus lands” close to the block, Judge Acheson continues: “These surplus areas were lands which the Crown representatives, after inquiry, found had not been paid for by private purchasers; or, rather, the Crown allowed private purchasers to retain certain areas only *being equivalent in value to the prices paid*” (the italics are ours). What