

COMMISSION.

PLUNKET, Governor.

To all to whom these presents shall come and to the Honourable Sir James Prendergast, of Wellington, Knight; Herbert Samuel Wardell, of Wellington, Stipendiary Magistrate; William Henry Quick, of Wellington, barrister; and Ihaia Hutana, of Waipawa: Greeting.

WHEREAS by the Crown grants mentioned in the schedule hereto certain lands were granted to the persons therein named in trust for the use and towards the maintenance of the schools therein referred to: And whereas petitions were presented to Parliament during the last session thereof alleging that in the case of the Porirua grant, the Otaki grants, and other grants, the lands were ceded to the Crown by the Native owners thereof so as to provide for the education of their children and the children of kindred tribes, and that there has been in each case a total or partial failure to fulfil the trusts thereof, and praying that a Commission be set up to inquire into the facts concerning the said trusts and report to His Excellency the Governor the best method of administering the same with a view to legislation being introduced to deal with the matter: And whereas the Committee to which the said petitions were referred recommended that they be referred to the Government for inquiry: And whereas certain litigation has taken place with respect to the Porirua grant and the trusts affecting the same and a scheme for the administration of such trusts *cy-près* has been approved by the Supreme Court: And whereas in a judgment in connection therewith of His Honour the Chief Justice and Mr. Justice Edwards delivered on the 7th September, 1900, it was stated that "The approval of such a scheme as is here suggested cannot in any way hamper either the Government or the Parliament in dealing with this trust or the trusts referred to": And whereas it is expedient that a Commission should be appointed to inquire into the present position of the trusts and trust estates created by the respective Crown grants mentioned in the schedule hereto, and into the necessity or expediency of the proposed legislation with respect thereof:

Now therefore I, William Lee, Baron Plunket, the Governor of the Colony of New Zealand, in exercise of the powers conferred by "The Commissioners Act, 1903," and of every other power and authority enabling me in this behalf, and acting by and with the advice and consent of the Executive Council of the said colony do hereby constitute and appoint you, the said,

SIR JAMES PRENDERGAST,
HERBERT SAMUEL WARDELL,
WILLIAM HENRY QUICK, and
IHAIA HUTANA,

to be a Commission for the purpose of making an inquiry into the present condition of the trusts and trust estates created by the said Crown grants, including in the case of each trust estate the matters following, that is to say—

- (1.) Of what the trust estate now consists—distinguishing land from money.
- (2.) The mode in which the land has been utilised and administered by the trustees: if leased—at what rental; if sold—at what price: what accumulations have been made and how they are invested.
- (3.) The total receipts and disbursements for each year since the creation of the trust.
- (4.) Whether the original trusts have been carried out, and if not, why not.
- (5.) If they cannot be carried out in their integrity, what modifications should be made in order to give effect to the original intention as far as practicable.
- (6.) In the case of the Porirua grant, whether the scheme approved by the Supreme Court gives effect to the original intention as far as practicable, and, if not, what modifications should be made in that scheme.

And you are hereby enjoined to make such suggestions and recommendations as you may consider desirable or necessary with respect to the future administration and control of the said trust estates and with respect to the necessity of legislation in the premises.

And with like advice and consent I do further appoint you, the said

SIR JAMES PRENDERGAST,

to be Chairman of the said Commission.

And for the better enabling you, the said Commission, to carry out these presents into effect you are hereby authorised and empowered to make and conduct any inquiry under these presents at such times and places in the said colony as you deem expedient, with power to adjourn from time to time, and from place to place, as you think fit; and to call before you and to examine on oath or otherwise, as may be allowed by law, such person or persons as you think capable of affording you information in the premises: and you are also hereby empowered to call for and examine all such books, documents, papers, plans, maps, or records as you deem likely to afford you the fullest information on the subject-matter of this inquiry and to inquire of and concerning the premises by all lawful ways and means whatsoever.

And, using all diligence, you are required to transmit to me, under your hands and seals, your report and recommendations in respect of the several matters inquired into by you not later than the 30th day of June, 1905, or such extended date as may be appointed in that behalf.

And it is hereby declared that these presents shall continue in full force and virtue although the inquiry be not regularly continued from time to time or from place to place by adjournment.

And lastly, it is hereby further declared that these presents are issued under and subject to the provisions of "The Commissioners Act, 1903."