

SESS. II., 1887.
NEW ZEALAND.

WEBSTER'S LAND CLAIMS

(MEMORANDUM ON), BY THE HON. SIR ROBERT STOUT.

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

MEMORANDUM ON THE CLAIMS OF WILLIAM WEBSTER, SUBJECT OF THE UNITED STATES OF AMERICA, AND ON A REPORT OF THE COMMITTEE OF FOREIGN RELATIONS OF THE SENATE OF THE UNITED STATES, DATED 26TH JANUARY, 1887.

To His Excellency the Governor,
&c., &c., &c.

THE report on the petition of William Webster, brought up from the Committee on Foreign Relations by Mr. Morgan,* and forwarded in the Despatch No. 13, of the 22nd March, 1887, from the Colonial Office to His Excellency the Governor, contains many erroneous statements.

It will be well to state in brief form what the facts are regarding Mr. William Webster's claim. Mr. Webster was an early visitor to New Zealand, and, as he states, traded with the Maoris.

After the proclamation of sovereignty over New Zealand Mr. Webster made a claim for land.

At that time there was in existence a Land Claims Ordinance, containing the following provisions:—

New Zealand Land Claimants Ordinance, 4 Vict., No. 2.

AN ORDINANCE to repeal within the said Colony of New Zealand a certain Act of the Governor and Legislative Council of New South Wales made and passed in the Fourth Year of the Reign of Her present Majesty, and adopted under an Ordinance of the Governor and Legislative Council of New Zealand for extending the Laws of New South Wales to the said Colony of New Zealand, and which said Act of the Governor and Council of New South Wales is intituled "*An Act to empower the Governor of New South Wales to appoint Commissioners with certain Powers to examine and report on Claims to Grants of Land in New Zealand,*" and also to terminate any Commission issued under the same, and to authorise the Governor of the Colony of New Zealand to appoint Commissioners with certain Powers to examine and report on Claims to Grants of Land therein, and to declare all other Titles except those allowed by the Crown null and void. [9th June, 1841.]

Preamble.

WHEREAS, by an Act of the Governor and Legislative Council of New South Wales and its dependencies, made and passed in the fourth year of the reign of Her present Majesty, intituled "*An Act to empower the Governor of New South Wales to appoint Commissioners with certain Powers to examine and report on Claims to Grants of Land in New Zealand,*" after reciting that, in various parts of the Islands of New Zealand comprehended within the limits of the territory and Government of New South Wales, tracts or portions of land were claimed to be held by various individuals by virtue of purchases or pretended purchases, gifts or pretended gifts, conveyances or pretended conveyances, or other titles, either mediately or immediately from the chiefs or other individuals of the aboriginal tribes inhabiting the same, and reciting that no such individual or individuals could acquire a legal title to or permanent interest in any such tracts or portions of land by virtue of any gift, purchase, or conveyance by or from the chiefs or other individuals of such aboriginal tribes as aforesaid; and also—

Reciting that Her Majesty had, by instructions under the hand of one of Her Majesty's Principal Secretaries of State, dated the fourteenth day of August, one thousand eight hundred and thirty-nine, declared Her Royal will and pleasure not to recognise any titles to land in New Zealand which did not proceed from or were not or should not be allowed by Her Majesty; and after stating

* For resolutions of Senate and report see Appendix B, post page 36.