

consequent upon the reports of that Commission is eminently useful, and worthy both of the Commissioners and the colony. Unhappily the subsequent amendments made in that legislation are not so satisfactory.

To these Commissions, mainly composed, as they were, of men of great knowledge and the highest character, were intrusted questions which affected comparatively small sections of both Maori and European races, which regarded only one class of cases in each Commission, and which were limited in extent to restricted localities.

To the labours of those who have thus preceded us we are indebted, nor do we scruple to use the information and experience which with great care and toil they gathered together. But when it is remembered that the scope of our work is wider in extent; that the questions submitted embrace all the North Island, and the interests of both races who now inhabit it or who shall hereafter do so; that we have to recommend a remedy for past wrongs, and principles for the conduct of Courts of justice and the future management of land which is in extent a kingdom; we feel we are entitled to ask your Excellency's favourable consideration in the estimation of our work. The task committed to us was one of no ordinary magnitude. It might well have taxed the extreme skill and wisdom of men superior to your Excellency's servants. We have attempted to fulfil our duty. Our report speaks for itself. It is offered in the hope that it may aid in producing lasting peace and prosperity in the North Island, to which it more immediately refers. Its merit must be judged by results. Time and experience will decide its value. If it accomplish but a portion of the good we wish both races of our countrymen in New Zealand, it will amply justify the confidence which it pleased your Excellency to repose in us.

We cannot conclude without expressing our gratitude for the assistance rendered to the work of the Commission by all classes of the community. Especially are our thanks due to Mr. J. M. Geddis, shorthand writer and secretary to the Commission, and Mr. M. J. Gannon, interpreter, for the great skill and unwearied energy displayed by them in the performance of continuous and heavy work.

Given under our hands, and sealed with our seals, at Wellington, this twenty-third day of May, 1891.

W. L. REES, (L.S.)
Chairman.

JAMES CARROLL. (L.S.)

DISSENT.

As I dissent from many portions of this report while I assent to others, and as the separation of the one from the other would be difficult, I have deemed it advisable to draw up an independent report, which is subjoined.

THOMAS MACKAY.

NOTE BY MR. CARROLL.

Upon the question of the Crown resuming the right of pre-emption over lands owned by the Maoris, I dissent from the views expressed in the foregoing report. I cannot help feeling that such a step would be unwise and impolitic, while the legality itself of such a proceeding is, I believe, open to grave doubt. The Crown bases its title to land in New Zealand not on the right of discovery or conquest, but on the Treaty of Waitangi. By that treaty the exclusive right of pre-emption over such lands as the Native proprietors might be disposed to alienate was yielded to Her Majesty from the period of signing the Treaty of Waitangi until the sanction of Her Majesty was obtained to "The Native Land Act, 1862:" over twenty years that right remained in full force. Thus it will be seen that ample opportunity was afforded for testing the efficacy, wisdom, and justice of the prerogative so assured. In some