

And whereas by divers instructions under the hand of one of Her Majesty's principal Secretaries of State, Proclamations of the Governor of New South Wales and the Lieutenant-Governor of New Zealand, an Act of the Colony of New South Wales, and Ordinances and Acts of the Colony of New Zealand it was in effect provided that titles to land in New Zealand should not be recognized which did not proceed from or were not or should not be allowed by Her Majesty :

And whereas by the Land Claims Ordinance of 1841, Session 1, No. 2, it was enacted and ordained, amongst other things, that the sole and absolute right of pre-emption from the aboriginal inhabitants of the Colony of New Zealand vested in and could only be exercised by Her Majesty, Her heirs, and successors, and that all titles to land in the said Colony of New Zealand which were held or claimed by virtue of purchases, or pretended purchases, gifts, or pretended gifts, conveyances, or pretended conveyances, leases, or pretended leases, agreements, or other titles either mediately or immediately from the Chiefs or other individuals or individual of the aboriginal tribe inhabiting the said Colony and which were not or might not thereafter be allowed by Her Majesty, Her heirs, and successors, were and the same should be absolutely null and void :

And whereas, following upon a recital that Her Majesty had in certain instructions been pleased to declare Her Majesty's gracious intention to recognize claims to land which might have been obtained on equitable terms from the said Chiefs or aboriginal inhabitants or inhabitant of the said Colony of New Zealand and which might not be prejudicial to the present or prospective interests of such of Her Majesty's subjects who had already resorted or who might thereafter resort to and settle in the said Colony, power was conferred on the Governor to appoint Commissioners who should have full power and authority to hear, examine, and report on all claims to grants of land in virtue of any of the titles aforesaid in the said Colony of New Zealand :

And whereas by divers other Ordinances and Acts of the General Assembly further provision was from time to time made in the premises :

And whereas by Proclamations of the Governor bearing date respectively the twenty-sixth day of March, one thousand eight hundred and forty-four, and the tenth day of October, one thousand eight hundred and forty-four, Her Majesty's sole and absolute right of pre-emption from the said aboriginal inhabitants was or purported to be waived to the extent therein appearing :

And whereas under divers of the enactments aforesaid Commissioners were appointed to examine into and report on the land claims, whether arising out of dealings with the aboriginal inhabitants of the Colony