

# How the Fourth Labour Government Destroyed New Zealand



Ever since the 1975 Treaty of Waitangi Act we have been led to believe that the Treaty of Waitangi was our Founding Document that made New Zealand into a British Colony, but the Treaty of Waitangi only made tangata Maori, whose chiefs signed the Treaty of Waitangi on their behalf, British subjects with the same rights as the people of England. No more – No less.

So, let's start at the beginning.

In 1820 New Zealand was made up of hundreds of small tribes constantly at war with each other. Ngapuhi were the first to obtain large quantities of muskets and had gone on the rampage south slaughtering thousands of the unarmed southern tribes. The southern tribes were now gaining muskets for utu/revenge against Ngapuhi.

In 1831 thirteen Ngapuhi chiefs wrote to the King of England asking him to be their guardian and protector, not only from the French, but also from the tribes gaining muskets for utu/revenge.

**Tangata Maori were not interested in claiming sovereignty over New Zealand.**

British Resident, James Busby tried to get the tribes of New Zealand to unite in 1835 with the Declaration of Independence to claim sovereignty over New Zealand and to form a united government. This government was to meet annually to encourage peace and trade amongst the tribes and the new settlers, but tangata Maori were more interested fighting and the feasts that followed, and it was abandoned with only 35 signatures and not one meeting taking place. Britain had no other option now than to claim sovereignty if Britain was to honour the request Ngapuhi had made to be their guardian and protector.

**Britain gained sovereignty over New Zealand by the Law of Nations seven days before the first marks appeared on the Treaty of Waitangi.**

Before Britain could intervene in New Zealand, Britain had to gain sovereignty over all the islands of New Zealand. Britain gained sovereignty under the **Law of Nations** by Royal Charter/Letters Patent issued by, "*Victoria by the Grace of God*" under "*The Great Seal of the United Kingdom of Great Britain and Ireland*" dated the 30 July 1839. British sovereignty over New Zealand was ratified on the 30 January 1840 when Lt. Governor Hobson read the two Proclamations at Kororareka/Russell. This was recognised internationally when it was published in the London Gazette on the 2 October 1840 and has never been challenged by any other Nation.

From the 30 January 1840, New Zealand was under the laws and dependency of New South Wales until the 3 May 1841. Sir George Gipps, Governor of New South Wales was New Zealand's first

Governor and Captain William Hobson became his Lt. Governor to New Zealand.

Before Lt. Governor Hobson had left Australia, Governor Gibbs had told him that over 2/3 of New Zealand had been sold by the chiefs, some ever travelling to New South Wales to find buyers. By 1840 over 700 Deeds of Sale were held at the New South Wales Supreme Court where they remain today. Most of these sales were investigated by the government after 1841 with many being disallowed and returned to the chiefs that had sold the land without compensation to the buyers. Those allowed were reduced to 2650 acres.

### **Drafting the Treaty of Waitangi**

In 1838, the Under Secretary for Colonies, James Stephens a strong supporter of the Clapham Sect, a group of prominent Englishmen that campaigned for the protection of people from colonial exploitation had written a draft document on how these people should be treated. Lord Normanby, the Secretary of Colonies used this as a draft for a treaty with the tangata Maori, but as he was not quite sure whether tangata Maori had sovereignty over New Zealand or not, he made a couple of contradictory additions about sovereignty and gave it to Captain Hobson before he left England. Lt. Governor Hobson used Stephens draft document with Lord Normanby's additions to write the Treaty of Waitangi that was translated into the tangata Maori language by Rev. Henry Williams and his son Edward to become, Te Tiriti o Waitangi. Rev. Williams had lived in New Zealand since 1823 and knew the people and their language well and made changes to the Treaty translation. "*The people of New Zealand*" to "*tangata Maori*" as he knew they were not tangata whenua and "*sovereignty*" to "*government/kawanatanga*" as he also knew tangata Maori did not have sovereignty over New Zealand, therefore, could not ceded sovereignty to Britain. Over 500 chiefs confirmed they were not "*tangata whenua*" or "*the indigenous people of New Zealand*" when they signed the Treaty of Waitangi as "*tangata Maori*".

Check the Tiriti o Waitangi for evidence.

Now than New Zealand was under British sovereignty, tangata Maori were offered the Tiriti o Waitangi to sign on the 6 February 1840. If they wanted to become British subjects with the same rights as the people of England they must give up their governments/kawanatanga to the Queen". Over 500 chiefs, mainly from the North Island agreed to the Tiriti o Waitangi on behalf of their tribes making an estimated 80,000 tangata Maori British Subjects under one flag and one law – English law.

In 1860 the Kohimarama Conference was held where over 200 tangata Maori chiefs unanimously agreed, *"That they alleged to each other to do nothing inconsistent with their declared recognition of the Queen's sovereignty, and of the unions of the two races"*. Why is Ngapuhi claiming sovereignty today when their ancestors, ***"Declared recognition of the Queen's sovereignty"***?

The Tiriti o Waitangi was never intended to cede sovereignty of New Zealand from the tangata Maori as they had never had a political body capable of holding sovereignty. Britain claimed sovereignty under the **Law of Nations** on the 30 January 1840.

From the 30 January 1840, New Zealand and most of its people were under the dependency and laws of New South Wales. Some chiefs had refused to sign the Tiriti o Waitangi but still use it to claim against the Crown today, therefore, accepting the Treaty terms of giving up their governments/kawanatanga in exchange for becoming British Subjects.



On the 16

November 1840 Britain issued another Royal Charter/Letters Patent by, *"Victoria by the Grace of God"* under *"The Great Seal of the United Kingdom of Great Britain and Ireland"*. This Royal Charter/Letters Patent separated New Zealand from New South Wales laws and dependency on the 3 May 1841 and made New Zealand into an Independent British colony with its own Governor, Governor Hobson and New Zealand's first Constitution to form a Government to make laws with courts and judges to enforce those laws under one flag and one law, irrespective of race, colour or creed.

In 1877 the Treaty of Waitangi was ruled a *"Simple nullity"* by Chief Justice Sir James Prendergast and in 1941 the Privy Council ruled, *"That if it was not in our legislation, then the Treaty of Waitangi was not legally binding"*, which have never been over-ruled. The National Government overlooked both legal rulings in 1975 and introduced the Treaty of Waitangi Act which created the Waitangi Tribunal to hear claims by Maori against the Crown **that occurred after 1975**. For ten years it had very little to do until the Labour Government took office in 1984. The Hon Geoffrey Palmer became Attorney General, the Hon Koro Wetere Minister of Maori Affairs and the Rev Sir Paul Reeves, Governor General. A very dangerous team was established between the Attorney General, the Minister of Maori Affairs and the Governor General both of Maori descent.

**The Hon Geoffrey Palmer stated, *"I was utterly opposed to the Privy Council having anything to say about what the Treaty***

***meant in New Zealand".***

Surely, the Attorney General knew that the Privy Council had ruled in 1941, *"That if it was not in our legislation, then the Treaty of Waitangi was not legally binding"* or had he just taken it upon himself to overrule the Privy Council to change New Zealand forever!

### **How the Fourth Labour Government destroyed New Zealand.**

The Labour Government with the Hon Geoffrey Palmer as Attorney General instigated the 1985 Treaty of Waitangi Amendment Bill that allowed claims **dating back to 1840**, which was given its Royal Assent by the Governor General, the Rev Sir Paul Reeves. *"The Five Principles for Crown Action on the Treaty of Waitangi"* soon followed. This allowed the Attorney General, Sir Geoffrey Palmer a free hand to make his many Acts of Parliament based on his time in America studying American Civil Rights that had nothing to do with New Zealand, its people or its politics. Nothing!

The Hon Geoffrey Palmer then had the State Owned Enterprise Act passed. Section (9) stated, *"Nothing in this Act shall permit the Crown to act in a manner that is inconsistent with the Principles of the Treaty of Waitangi"*, but the principle had not been discussed at this time. No one knew what they were. This opened the door to the flood of alleged claims that are still being settled today with no end in sight.

The Hon Geoffrey Palmer admitted in his book, **"New Zealand's Constitution in Crisis"**, *"For the situation we are in, I blame neither my former opponents nor my friends. It is a book written with sorrow, although with convictions that things can change"*. He also stated, *"I was wrong"*, giving this advice, *"It is true the Treaty of Waitangi Act 1975 and all the other statutes, which give explicit recognition to the Treaty are not entrenched. They can be swept away by a simple majority in*

Parliament".

Luckily, the Palmer/Wetere/Reeves team had a falling out in 1990 when the Government and to the Governor General differed over the Treaty on screen. On the Australian Broadcasting Corporations programme Four Corners on the 6 March 1990, the Hon Geoffrey Palmer, now Prime Minister said, "The meaning of the treaty, in terms of its operational consequences, now, was far from clear. In fact, it's a document that is so vague, that that is its primary problem", while the Attorney General, Hon David Lange said, "Did Queen Victoria for a moment think of forming a partnership with a number of signatures, a number of thumb prints and 500 people? Queen Victoria was not that sort of person". The Governor General, Rev Sir Paul Reeves replied by hinting, "He would join Maori leaders that failure to address 'injustices' under the treaty would lead to violence, even civil war". Not the sort of comment you would expect from the Queen's Representative. Soon after this programme aired, Palmer and Lange disappeared from front line politics, but it was too late; the Hon Geoffrey Palmer, "Had opened the gate and the horse had bolted"!

## **Conclusion.**

The Tiriti o Waitangi had nothing to do with, "addressing injustices". The Tiriti o Waitangi only offered tangata Maori; to become British subjects with the same rights as the people of England, they must give up their individual governments/kawanatanga to the Queen. Over 500 chiefs signed the Tiriti o Waitangi on behalf of their tribes making an estimated 80,000 tangata Maori British Subjects.

Sovereignty was gained by the **Law of Nations** under the laws and dependency of New South Wales on the 30 January 1840. New Zealand became a British Colony on the 3 May 1841 with its first Constitution that set up New Zealand's political, legal and justice systems under one flag and one law, irrespective of race, colour or creed. The 1975 Treaty of Waitangi Act

created the Waitangi Tribunal, but the Fourth Labour government enacted the 1985 Treaty of Waitangi Amendment Act that change New Zealand for ever!

Either Mr Palmer knew what Chief Justice, Sir James Prendergast and the Law Lords at the Privy Council had ruled, and ignored it, or he deliberately overruled them to satisfy his own ego. Either way what he did was wrong, and he is now trying to put right his wrongs by making the Treaty of Waitangi part of our Constitution to overrule the Chief Justice and the Privy Council's rulings.

**The Treaty of Waitangi was never intended to be part of our Constitution. Our true Founding Documents and first Constitution that set up New Zealand's political, legal and justice systems under one flag and one law were the Royal Charters/Letters Patent of 1839 and 1840 issued by, "*Victoria by the Grace of God*" under "*The Great Seal of the United Kingdom of Great Britain and Ireland*". New Zealand's true Founding Documents and first Constitution!**

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## **How can Intelligent People be**



# so Stupid?

I cannot believe how so many intelligent men and women, many having spent years at University still think the Treaty of Waitangi is a living document, our Founding Document and a *"Partnership between Maori and the Crown"*. These people must have been brain-washed by their University Professors, then too brain-dead afterwards to do their own research.

Many of these people do not know the instructions for the Treaty of Waitangi were written by the Undersecretary for Colonies, James Stephens in 1838, who was a strong supporter of the Clapham Sect, a group of prominent people in England campaigning for the protection of people in countries Britain was colonising in the 18<sup>th</sup> century.

This document drafted by Stephens to satisfy the Clapham Sect was never intended to be a document to cede sovereignty of New Zealand to Britain or to form a *"Partnership between tangata Maori and the Crown"*. It was not authorised by, *"Victoria by the Grace of God"* under, *"The Great Seal of the United Kingdom of Great Britain and Ireland"* as were the Royal Charters/Letters Patent of 1839 and 1840, our true Founding Documents and first Constitution.

This document was then amended by the Secretary for Colonies, Lord Normandy, before giving it to Captain Hobson with this contradictory statement, *"We acknowledge New Zealand as a sovereign and independent State, so far at least as it is possible to make such acknowledgment in favour of a people composed of numerous, dispersed, and petty tribes, who possess few political relations to each other, and are incompetent to act, or even to deliberate in concert"*. It is obvious from this contradictory statement Lord Normanby had no idea whether tangata Maori had sovereignty over New Zealand or not.

British Resident James Busby had tried in 1835 to have tangata

Maori recognise sovereignty over New Zealand by the Declaration of Independence and to meet annually to make laws for peace and trade, but because tangata Maori were more interested in fighting each other than political co-operation, it was a complete failure and was abandoned with only 35 signatures.

In 1877 Chief Justice Prendergast responded to Lord Normanby's statement by insisting that Lord Normanby had simply contradicted himself by stating. *"So far indeed as that instrument (The Treaty of Waitangi) purported to cede the sovereignty it must be regarded as a 'simple nullity'. No political body existed capable of making cession of sovereignty"*. Chief Justice Prendergast ruled in 1877, *"The Treaty of Waitangi was a simple nullity"*, which has never been overruled by our courts, a fact admitted by the Ministry of Justice under the OIA.

In 1941 the Privy Council ruled, *"That if it was not in legislation, then the Treaty of Waitangi was not legally binding"*. The Treaty of Waitangi is not in our legislation, therefore, is not legally binding but is used by the Waitangi Tribunal when settling claims.

Britain gained sovereignty over all the islands of New Zealand under the **Law of Nations** by Queen Victoria's Royal Charter/Letters Patent dated the 30 July 1839 and New Zealand came under the laws and dependency of New South Wales on the 30 January 1840 when the Royal Charter/Letters Patent was ratified by Lt. Governor Hobson after he had read the two Proclamations at Kororāreka/Russell, seven days before the first signature appeared on the Tiriti o Waitangi.

**The 1840 Tiriti o Waitangi made tangata Maori British Subjects with the same rights as the people of England if they gave up their individual governments/kawanatanga to the Queen. No more – no less!**

The Treaty of Waitangi did not cede sovereignty from tangata Maori as tangata Maori did not have sovereignty over New Zealand to cede. It also did not give tangata Maori a "*Partnership between Maori and the Crown*" as English law does not allow a British Subject to be in "*Partnership with the Crown*". Surely, our academics know this, they cannot be that stupid!

Over 500 chiefs, when they signed the Tiriti o Waitangi in 1840, acknowledged they were tangata Maori and not tangata Whenua or the Indigenous People of New Zealand, but many academics seemed to have never read the Tiriti o Waitangi

One year later, Queen Victoria's Royal Charter/Letters Patent dated the 16 November 1840 made New Zealand into a British Colony on the 3 May 1841 with its own governor, Governor Hobson, and a Constitution to set up New Zealand's political, legal and justice system under one flag and one law, irrespective of race, colour or creed.

Once the One New Zealand Foundation Inc. brought the Royal Charters/Letters Patent to the public's attention in 2014, the academics quickly dismantled the Constitution Room at Archive New Zealand in 2017 and filed the two Royal Charters amongst the other 6 million documents in Archives Repository, while the Declaration of Independence and Treaty of Waitangi were moved to the new \$7.2 million *He Tohu Exhibit* at the National Library Wellington as, "*Iconic constitutional documents that shaped Aotearoa New Zealand*". How corrupt was that, the two Royal Charters/Letters Patent, our true Founding Documents and first Constitution belong to all the people of New Zealand and must always be available to the public. Where are the honest academics, surely there must be one or two around to put the record straight or are they too afraid to go against their colleagues or their University Professors?

Sir Geoffrey Palmer, who was in-charge of the Treaty of Waitangi reforms in the 1980's when Attorney General is now

trying to have the Treaty of Waitangi part of our Constitution to make all his reforms legal. If only he had listened to Chief Justice Prendergast and the Privy Council, we would not be in the mess we are in today, Palmer even admitting, *"I was utterly opposed to the Privy Council having anything to say at all about what the Treaty meant in New Zealand"*. Mr Palmer, the Law Lords at the Privy Council had ruled in 1941, *"That if it was not in legislation, then the Treaty of Waitangi was not legally binding"*!

**The Professors at Universities teaching Maori history are either too lazy to do their own research or what they are to gain from teaching their students this corrupt history.**

But would our academics admit they were wrong – this is the problem. Unfortunately, most of these people have been told what to do, what to think and what to say from cradle to the grave and are too afraid to step outside the square and contradict what their Professors taught them at University. How would they get letters after their names if they did not agree with what they had been taught by their brainwashed/corrupt Professors?

I am not an academic and I don't believe anyone when it comes to our history, but I have spent 45 years doing my own research and have found the academics' lack of doing their own research by looking outside the square, is the problem. They must teach what they have been told by their Professors to be able to add letters after their name and the pay packets that go with it with no thought of the harm they are doing to New Zealand and its people by distorting and/or hiding our history in Archives Repository. Future researchers must now order these documents to research, that is, if they know they exists, but it's hardly likely their Professors will tell them and show how corrupt our Universities have become.

If you have not done your own research and have your own evidence to back it up, then don't try to brainwash others

with your unsubstantiated “rubbish”. This is treason, but the academics had the death penalty for treason removed from our legislation. I wonder why?

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**Mike Butler explains how  
corrupt our Justice System  
has become.**

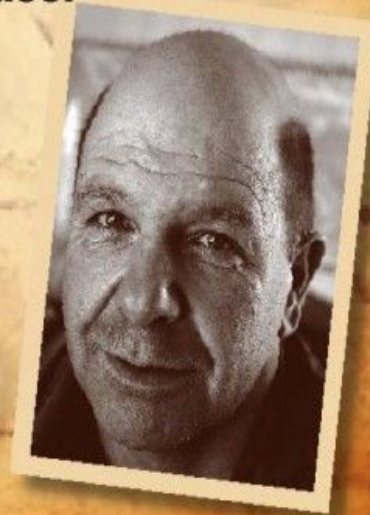




# **24 YEARS**

## **THE TRIALS OF ALLAN TITFORD**

**A man who lost his  
farm in an unsound  
treaty claim, had  
his trust busted,  
and was jailed in  
a miscarriage of  
justice.**



**MIKE BUTLER**



# 24 YEARS

## The trials of Allan Titford

In 1987 Allan Titford was being driven off his farm by people who claimed that part of it was Maori land. His story captured the hearts and minds of many New Zealanders.

However, in 2013, when he was jailed for more than 24 years, he was called “a slave driver, a monster and a liar”.

This book tells how a treaty claim took private land against the will of its owners despite evidence that the claim was unjustified.

It analyses how Allan Titford was jailed for such a long time.

The record jail term is bizarre considering that 12 charges relied on the uncorroborated testimony of a person who admitted to perjury.

Moreover, many of the 53 charges against him were hardly tested in court.

It also shows a hidden parallel story about how the justice system was played for financial gain.

This book exposes judicial failure in both the district court and the Court of Appeal.

It asks whether the process used against Allan Titford is standard practice in the New Zealand justice system and how many more victims have been locked up by using these methods.

Ross Baker, Researcher, One New Zealand Foundation Inc, wrote:

*“I have just finished reading **24 Years** and as I have been very involved with Allan and Susan Titford since the “false” claim was placed on Allan’s freehold titled property at Maunganui*

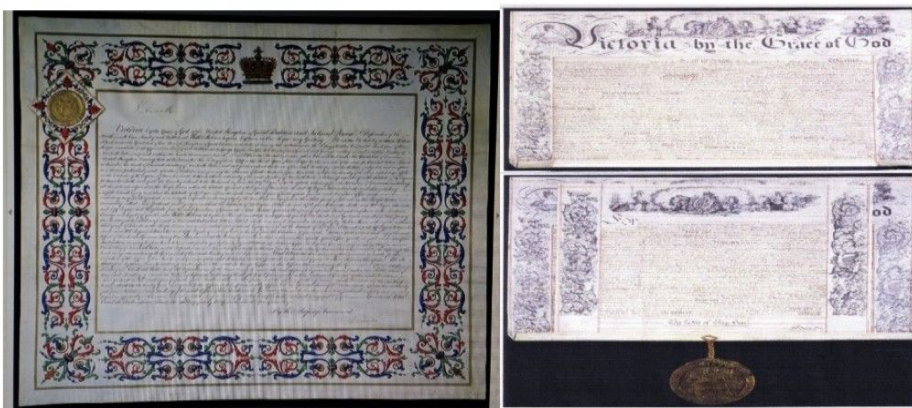
*Bluff, I can confirm this is a true and accurate accounts of the events that ended with Allan being jailed for 24 years because of our corrupt justice system. A must read".*

*24 Years, The Trials of Allan Titford, Mike Butler, Limestone Bluff Publishing, 339 pages, illustrated, \$39.50, available from [www.trosspublishing.co.nz](http://www.trosspublishing.co.nz) and at a good bookstore near you.*

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# Government hides Royal Charters to assist Maori Sovereignty

Government hides Royal Charters to assist Maori Sovereignty.



The 1839 Royal Charter/Letters Patent  
Charter/Letters Patent

The 1840 Royal

On the 17 April 2017 the Government allowed Archives New Zealand to dismantle the Constitution Room and separate Queen Victoria's two Royal Charters/Letters Patent from the Tiriti o

Waitangi to help Maori claim sovereignty over New Zealand. Queen Victoria's Royal Charters/Letters Patent of 1839 and 1840, *"That gave Sovereignty of New Zealand to Britain and set up our political, legal and justice systems"* have been hidden away in Archive Repository amongst the other 6 million documents, while the Tiriti o Waitangi, *"That gave tangata Maori the same rights as the people of England if they gave up their governments/Kawanatanga to the Queen "* has been placed in the new \$7.2 million *He Tohu* Exhibit at our National Library, Wellington, *"As an iconic constitutional document that shaped Aotearoa New Zealand"*.

By doing this, the Government has misled the public into believing tangata Maori had sovereignty over all the island of New Zealand in 1840, but the fact is, New Zealand's sovereignty was gained by the *"Law of Nations"* seven days before the first signature appeared on the Tiriti o Waitangi and was ratified by the reading of the two Proclamations by Lt. Governor Hobson on the 30 January 1840 at Kororareka/Russell.

The Law of Nations recognized no other mode of assuming dominion/sovereignty in a country of which the inhabitants were ignorant of the meaning of sovereignty, and therefore incapable of ceding sovereignty rights. This was the case with the people inhabiting New Zealand for whom it would have been impossible for Captain Cook or Lt. Governor Hobson to have obtained British sovereignty by cession. Tangata Maori consisted of hundreds of small individual tribes without any form of united government, continually at war with each other for territories, utu/ revenge or for the feasts that followed.

While Government has misled the public since the 1975 Treaty of Waitangi Act to now hide constitutional document to help Maori gain sovereignty is corrupt!

## **Our true history is now hidden by Government in Archives Repository.**

Ngapuhi chief, Hongi Hika returned from England in 1820 after helping Professor Samuel Lee write his tangata Maori to English dictionary with over 500 muskets. He and his followers then went on a rampage South killing tens of thousands of his unarmed country men, women and children. By 1830 the Southern tribes were gaining muskets for utu/revenge on Ngapuhi for Hongi Hika's cowardly atrocities.

In 1831, 13 Ngapuhi chiefs fearing utu/revenge from the Southern tribes, wrote to the King of England asking him to be their guardian and protector, not only from themselves but also from the French. Two years later Britain sent a Resident, James Busby to New Zealand to bring peace amongst all the people of New Zealand who were without laws, but without forces this was an impossible task and he was soon called, "*A man of war without guns*".

In 1835, James Busby decided to write a Declaration of Independence recognising tangata Maori sovereignty over all the islands of New Zealand and for them to assemble annually to form laws for the promotion of peace, justice and trade. After Busby had written the Declaration he had Rev Henry Williams translate it into the tangata Maori language. In (2) of the Declaration Rev Henry Williams translated the word "*sovereignty*" to "*Kingitanga*" and "*Government*" to "*Kawanatanga*". See Declaration of Independence page 5.

Over the next few years Busby tried to get the Northern chiefs to sign the Declaration but the ever present intertribal tension and fighting took precedence over political cooperation, as always and it was abandoned with only 35 signatures. While it was a complete failure, it did show the chiefs were ignorant of the meaning of "Sovereignty" over New Zealand.

In 1790 a very strong group of aristocratic evangelical Anglicans had formed a group called the "**Clapham Sect**" to protect indigenous peoples from colonial exploitation. Sir James Stephens, the Undersecretary to Colonies was a strong member of this group and in 1838 wrote draft instructions if Britain decided to claim sovereignty over New Zealand. Lord Normanby decided to use this draft to give to Captain Hobson to make an agreement with tangata Maori if Britain claimed sovereignty over New Zealand. Normanby was not sure whether tangata Maori had claimed sovereignty by James Busby's Declaration of Independence and added this note to the instructions, *"I have already stated that we acknowledge New Zealand as an independent state so far as at least possible to make that acknowledgement in favour of a people composed of numerous dispersed petty tribes, who possess few political relations as to each other, and are incompetent to act in concert"*. This comment completely contradicts itself, especially when he stated tangata Maori were, *"A people composed of numerous dispersed petty tribes, who possess few political relations as to each other, and are incompetent to act in concert"*.

By 1839 many British Subjects had travelled to New Zealand and had set up businesses as well as buying large tracks of land from the tangata Maori and turning it into productive farms. In fact, 2/3 of New Zealand had been sold by the chiefs by 1840 with many of the Deeds of Sale still held in the New South Wales Supreme Court. As Britain had a duty to protect British Subjects and their businesses abroad and honour the King's commitment to tangata Maori to protect them, Britain decided she had to take a more active roll in New Zealand's political affairs. As Maori consisted of hundreds of small tribes, constantly at war with each other, Britain had no alternative than to claim New Zealand's sovereignty under the "**Law of Nation**" to set up a legal government to make laws.

**In 1839, New Zealand was without law and completely out of**

## control!

On the 30 July 1839 a Royal Charter/Letters Patent was issued by, *"Victoria by the Grace of God"*, under *"The Great seal of the United Kingdom of Great Britain and Ireland"*, placing New Zealand under the laws and dependency of New South Wales. The Governor of New South Wales, Governor Gipps becoming the first Governor of New Zealand and Captain William Hobson his Lt. Governor to New Zealand.

Because tanaga Maori did not have a united government, Lt. Governor Hobson ask each individual tangata Maori chiefs on the 6 of February 1840 to give up their *"government/kawanatanga"* and in return they would be, *"Given the same rights as the people of England"*, under English law of one flag, one law.

Article/Law 1 of the Tiriti o Waitangi states, *"Ko nga Rangitātiri o te Wakaminenga me nga katoa hoki ki hai I uru ki taua wakaminienga ka tuku rawa atu kit e Kuini o Ingarani aka yona atu-te- Kawanatanga katoa o o ratou wena"*.

Mr T E Young of the Native Department was asked for an "official" translation of the Tiriti o Waitangi by the Legislative Council in 1869 and he translated Article/Law 1 as, *"The chiefs of the Assembly, and all Chiefs also who have not joined that Assembly, give up entirely to the Queen of England for ever all the governments of their lands"*. Since the Declaration of Independence in 1835, *"Government"* has always been translated as *"Kawanatanga"*

If the chiefs agreed to Article/Law 1 then Article/Law 2 would guarantee to tangata Maori the same rights to their land, dwellings and property as, *"all the people of New Zealand"* under English law. There was one extra clause in Article/Law 2

that stated, tangata Maori could only sell their land to the Crown at an agreed price to stop land speculators.

Article/Law 3 gave tangata Maori, *"The same rights as the people of England"* under one flag and one law with tangata Maori becoming British Subjects and since 1947 when New Zealand became a sovereign state, New Zealand Citizens.

The Treaty was signed by 540 tangata Maori chiefs in 1840 giving Britain the right to set up a political, legal and justice systems over the whole country under one flag and one law.

*"Government"* was translated by Rev Henry Williams to *"Kawanatanga"*, not *"sovereignty"* as many argue. There is not one translation of *"Kawanatanga"* that translates to *"Sovereignty"*.

No mention was made of *"Sovereignty"* by any chief on the 5 February 1840 at Waitangi when they discussed the Tiriti o Waitangi for 5 hours with Hobson, Busby and Rev Williams. They were concerned Lt. Governor Hobson would be up, up, up and the chiefs would be down, down, down under the laws and dependency of New South Wales!

If we relied solely on the Tiriti o Waitangias the document that gave sovereignty of New Zealand to Britain, then we would fail as there is nothing in the Tiriti o Waitangi giving sovereignty to Britain, it asked tangata Maori, *"To give up their governments in return for the same rights as the people of England"*.

Sovereignty was obtained under the **"Law of Nations"** by the 1839 Royal Charter/Letters Patent dated the 30 July 1839 issued by, *"Victoria by the Grace of God"* under, *"The Great Seal of the United Kingdom of Great Britain and Ireland"* with the Proclamations being read by Lt. William Hobson on the 30 January 1840 at Kororareka, seven days before the first signature appeared on the Tiriti o Waitangi.

Britain used the "**Law of Nation**", which is fully explained by Chief Justice Sir James Prendergast, GCMG in 1877 when he ruled the Treaty of Waitangi was, "*A simple nullity*" in 1877. In an Official Information Act reply from Tania Ott, Director, Senior Courts, Ministry of Justice, Chief Justice Prendergast's ruling has never been over-ruled

The Privy Council also ruled in 1941, "*That if it is not in our legislation, then the Treaty of Waitangi is not legally binding*". The Treaty of Waitangi is not in our legislation, therefore, is not legally binding.

Once New Zealand became under the Government of New South Wales, Britain decided to issue another Royal Charter/Letters Patent dated the 16 November 1840 by "*Victoria by the Grace of God*" under, "*The Great Seal of the United Kingdom of Great Britain and Ireland*" separating New Zealand from New South Wales with Lt Governor Hobson becoming New Zealand second Governor. The Royal Charter/Letters Patent also gave Governor Hobson New Zealand's first Constitution to set up political, legal and justice systems under English law of one flag and one law, irrespective of race, colour or creed.

**Both Royal Charters/Letters Patent were issued by, "*Victoria by the Grace of God*" under "*The Great Seal of the United Kingdom of Great Britain and Ireland*", the Tiriti o Waitangi was not!**

It's interesting that Sir Geoffrey Palmer, a past Attorney General and Prime Minister that made most of the Treaty of Waitangi reforms in the 1980's is now trying to have the Treaty of Waitangi as part of our Constitution to make the Treaty of Waitangi legally binding, therefore, over-ruling the Privy Council's ruling in 1941, "*That if it was not in our legislation, then the Treaty of Waitangi was not binding*". He also refused to consult the Privy Council on his reforms, stating in his book, "New Zealand's Constitution in Crisis", "*I was utterly opposed to the Privy Council having anything*



to say at all about what the Treaty meant in New Zealand". Mr Palmer they had already told you it was, **"Not legally binding"!**

It is also interesting to note that on the ABC's Four Corners programme in 1990, Sir Geoffrey Palmer stated, *"The meaning of the Treaty of Waitangi, in terms of its operational consequences now, was far from clear. In fact, it's a document that is so vague that that is its primary problem"*. Sir Geoffrey Palmer is now trying to have this, *"Unclear and vague document"*, part of our Constitution to make his 1980's reforms legal. Is this man a traitor to his own country or just another government *"puppet"* assisting Maori to gain *"Sovereignty"* over New Zealand, the same as past Treaty of Waitangi Negotiators, Hon Douglas Graham and Christopher Finlayson.

It is correct, tangata Maori did not give up their *"Kingitanga/Sovereignty"* to Britain in the Tiriti o Waitangi for the simple reason, they did not have *"sovereignty"* to give up. Instead they gave up their individual *"governments"* in return for becoming British Subjects, *"With the same rights as the people of England"*. Britain had tried to have tangata Maori recognise *"sovereignty"* in 1835 but they were more interested in continuing their intertribal warfare than political co-operation and, therefore, ignorant or incapable of ceding sovereignty rights.

**Britain claimed *"Kingitanga/Sovereignty"* by the *"Law of Nations"* and tangata Maori gave up their *"Kawanatanga/Governments"* to the Queen by the *"Tiriti o Waitangi"!***

It must also be remembered, the people that signed the Tiriti o Waitangi in 1840 were called *"tangata Maori"* as New Zealand had previously been inhabited by a race of people called *"tangata Whenua"* or the Indigenous People of New Zealand. Tangata Maori were a distinct race of people in 1840 but today

they are a mixed race of people through intermarriage of their own free will with other races until most only retain a minute trace of tangata Maori ancestry, therefore, today are New Zealand Citizens with very little tangata Maori ancestry.

While all this history has been hidden away by Government in Archives New Zealand's Repository to assist Maori in gaining sovereignty over New Zealand, the One New Zealand Foundation Inc. has copies of all the relevant documents that gave Great Britain Sovereignty over all the islands of New Zealand by Queen Victoria's Royal Charter/Letters Patent dated the 30 July 1839 under the **Law of Nations**.

For further information or copies of the relevant documents, please log onto: [www.onenzfoundation.co.nz](http://www.onenzfoundation.co.nz) or Email, ONZF@bigpond.com.au.

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## **The Declaration of Independence.**

From the 1835 Declaration of Independence below, you will see Rev Henry Williams translated "**Sovereignty**" to "**Kingitanga**" and "**Government**" to "**Kawanatanga**". Five years later Rev Henry Williams again translated "**Government**" in the Tiriti o Waitangi as "**Kawanatanga**". "**Government**" has always meant and been translate to "**Kawanatanaga**"

A Declaration of  
The Independence  
of  
New Zealand

1. We, the hereditary chiefs and heads of the tribes of the Northern parts of New Zealand, being assembled at

Waitangi, in the Bay of Islands, on the 28<sup>th</sup> day of October 1835, declare the Independence of our country, which is hereby constituted and declared to be an Independent State, under the designation of the United Tribes of New Zealand.

2. All **sovereign**power and authority within the territories of the United Tribes of New Zealand is hereby declared to reside entirely and exclusively in the hereditary chiefs and heads of tribes in their collective capacity, who also declare that they will not permit any legislative authority separate from themselves in their collective capacity to exist, nor any function of **government** to be exercised within the said territories, unless by persons appointed by them, and acting under the authority of laws regularly enacted by them in Congress assembled.
3. The hereditary chiefs and heads of tribes agree to meet in Congress at Waitangi in the autumn of each year, for the purpose of framing laws for the dispensation of justice, the preservation of peace and good order, and the regulation of trade; and they cordially invite the Southern tribes to lay aside their private animosities and to consult the safety and welfare of our common country, by joining the Confederation of the United Tribes.
4. They also agree to send a copy of this Declaration to his Majesty the King of England, to thank him for his acknowledgment of their flag; and in return for the friendship and protection they have shown, and are prepared to show, to such of his subjects as have settled in their country, or resorted to its shores for the purposes of trade, they entreat that he will continue to be the parent of their infant State, and that he will become its Protector from all attempts upon its independence.

Agreed to unanimously on this 28<sup>th</sup> day of October 1835, in the presence of His Britannic Majesty's Resident. (Here follows the signatures or marks of thirty-five Hereditary chiefs or Heads of tribes, which form a fair representation of the tribes of New Zealand from the North Cape to the latitude of the River Thames).

English witnesses (*signed*)

Henry Williams, Missionary, C.M.S.; George Clarke, C.M.S.; James C. Clendon, Merchant; Gilbert Mair, Merchant.

I certify that the above is correct copy of the Declaration of the Chiefs, according to the translation of Missionaries who have resided ten years and upwards in the country; and it is transmitted to his Most Gracious Majesty the King of England, at the unanimous request of the chiefs.

(*signed*)

JAMES BUSBY, British Resident at New Zealand

HE WAKAPUTANGA O  
TE RANGATIRATANGA  
O  
NU TIRENI

1. Ko matou, ko nga Tino Ranatira o nga iwi o Nu Tireni i raro mai o Hauraki kua oti nei te huihui i Waitangi i Tokerau i te ra 28 o Oketopa 1835, ka wakuputa i te Rangatiratanga o to matu wenua a ka meatia ka wakuputaia e matou he wenua Rangatira, kia huaina, ko te Wakaminenga o nga Hapu o Nu Tireni.
2. Ko te **Kingitangako** te mana i te wenua o te wakaminenga o Nu Tireni ka meatia nei kei nga Tino Rangatira anake i to matou huihuinga, a ka mea hoki e kore e tukua e matou te wakarite ture ki te tahi hunga ke atu, me te tahi **Kawanatangahoki** kia meatia i te wenua o te wakaminenga o

Nu Tirenī, ko nga tangata anake e meatia nei e matou e wakarite ana ki te ritenga o o matou ture e meatia nei matou i to matou huihuinga.

3. Ko matou ko nga tino Rangitira ka mea nei kia huihui ki te runanga ki Waitangi a te Ngahuru i tenei tau i tenei tau ki te wakarite ture kia tika ai te wakawakanga, kia mau pu te rongo kia mutu te he kia tika te hokohoko, a ka mea hoki ki nga tauwi o runga, kia wakarerea te wawai, kia mahara ai ki te wakaoranga o to matou wenua, a kia uru ratou ki te wakaminenga o Nu Tirenī.
4. Ka mea matou kia tuhituhia he pukapuka ki te ritenga o tenei o to matou wakaputanga nei ki te Kingi o Ingarani hei kawē atu i to matou aroha nana hoki i wakaae ki te Kaara mo matou. A no te mea ka atawai matou, ka tiaki i nga Pakeha e noho nei i uta, e rere mai ana ki te hokohoko, koia ka mea ai matou ki te Kingi kia waiho hei matua kia matou i to matou Tamarikitanga kei wakakahoretia to matou Rangatiratanga.

Kua wakaaetia katoatia e matou i tenei ra i te 28 Oketopa, 1835, ki te aroaro o te Reireneti o te Kingi o Ingarani.

## **Te Tiriti o Waitangi**

As can be seen from the Tiriti o Waitangi below, “Kawana/Governor” or “Kawanatanga/Government” is used five times. There is no denying that Rev Williams meant “Government” and not “Sovereignty” in the Tiriti o Waitangi because he knew tangata Maori did hold “Sovereignty” over New Zealand. Britain had claimed “Sovereignty” under the “Law of Nations” on the 30 January 1840.

It’s also interesting to note the people that signed the Tiriti o Waitangi were referred to as “tangata Maori” as they were not the “tangata whenua”, the original inhabitants or the Indigenous people of New Zealand.

There is nothing in the Tiriti o Waitangi referring to "Sovereignty", tangata Maori were asked to give up their individual "Governments" in return for becoming British subjects with the same rights as the people of England. Every translation of the Tiriti o Waitangi or the word "Kawanatanga" since the Declaration of Independence translates to "Government".

## TE TIRITI O WAITANGI

Ko Wikitoria te Kuini o Ingarani i tana mahara atawai ki nga Rangatira me nga Hapu o Nu Tirani i tana hiahia hoki kia tohungia ki a ratou o ratou rangatiratanga me to ratou wenua, a kia mau tonu hoki te Rongo ki a ratou me te Atanoho hoki kua wakaaro ia he mea tika kia tukua mai tetahi Rangatira – hei kai wakarite ki nga **Tangata maorio** Nu Tirani – kia wakaaetia e nga Rangatira maorite **Kawanatangao** te Kuini ki nga wahikatoa o te wenua nei me nga motu – na te mea hoki he tokomaha ke nga tangata o tona Iwi Kua noho ki tenei wenua, a e haere mai nei.

Na ko te Kuini e hiahia ana kia wakaritea te **Kawanatangakia** kua ai nga kino e puta mai ki te **tangata Maoriki** te Pakeha e noho ture kore ana.

Na kua pai te Kuini kia tukua a hau a Wiremu Hopihona he Kapitana i te Roiara Nawi hei **Kawanamo** nga wahi katoa o Nu Tirani e tukua aianeia amua atu ki te Kuini, e mea atu ana ia ki nga Rangatira o te wakaminenga o nga hapu o Nu Tirani me era Rangatira atu enei ture ka korerotia nei.

## Ko te Tuatha

Ko nags Rangatira o te wakening me nag Rangatira kata hook kid hay a uric Ki taka datamining ka tulku raw a at kid te koine o Ingrains ache ton ate – te **KawanatangaKatoa** o o ratou wenua.

## Ko te tuarua

Ko te Kuini o Ingarani ka wakarite ka wakaae ki nga Rangatira

ki nga hapu – ki nga tangata katoa o Nu Tirani te tino rangatiratanga o o ratou wenua o ratou kainga me o ratou taonga katoa. Otiia ko nga Rangatira o te wakaminenga me nga Rangatira katoa atu ka tuku ki te Kuini te hokonga o era wahi wenua e pai ai te tangata nona te wenua – ki te ritenga o te utu e wakaritea ai e ratou ko te kai hoko e meatia nei e te Kuini hei kai hoko mona.

### **Ko te tuatoru**

Hei wakaritenga mai hoki tenei mo te wakaaetanga ki te **Kawanatangao** te Kuini – Ka tiakina e te Kuini o Ingarani nga **tangata maori** katoa o Nu Tirani ka tukua ki a ratou nga tikanga katoa rite tahi ki ana mea ki nga tangata o Ingarani.

[Signed] W. Hobson Consul & Lieutenant Governor

Na ko matou ko nga Rangatira o te Wakaminenga o nga hapu o Nu Tirani ka huihui nei ki Waitangi ko matou hoki ko nga Rangatira o Nu Tirani ka kite nei i te ritenga o enei kupu. Ka tangohia ka wakaaetia katoatia e matou, koia ka tohungia ai o matou ingoa o matou tohu.

Ka meatia tenei ki Waitangi i te ono o nga ra o Pepueri i te tau kotahi mano e waru rau e wa te kau o to tatou Ariki.

Ko nga Rangatira o te Wakaminenga.

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## **Spend a few minutes...**

## **If you are Concerned about New**

# **Zealand's Future**

**Just spend a few minutes of your time to read the following.**

I guess most of you watched Prince Harry and Megan Markle get married. What always amazes me on these occasions are the magnificent cathedrals, castles, stone buildings and horse drawn carriages etc., all built long before the Treaty of Waitangi was signed. Britain also had a stable government and the most advanced political, legal and justice systems in the world in 1840. Great Britain was also one of the most advanced and powerful Nations.

## **1. Just spend a few minutes comparing the two countries and its peoples in 1840.**

At the time the Treaty of Waitangi was signed, tangata Maori were living in rough raupō huts without windows or doors, toilets, running water, only flax and feather clothing, no wheels, no farmed animals for food, still rubbing sticks together to make fire, still practicing cannibalism and with no united political, legal or justice systems. These people were constantly at war with each other and had no form of unity amongst the different tribes. Tangata Maori consisted of hundreds of small tribes living in fear of each other, especially after Hongi Hika, Ngapuhi returned from England in 1820 with over 500 muskets and went on the rampage south killing thousands of his fellow, unarmed countrymen, women and children for the fun of it. By 1830 the southern tribes were arming themselves to attack Ngapuhi tribes for utu – revenge of Hongi Hika's cowardly atrocities. Thirteen Ngapuhi chiefs asked Britain for protection, not only from the southern tribes, but also from the French who wanted to claim New Zealand for their own. For Britain to legally intervene,



Britain had to claim sovereignty over all the islands of New Zealand and its people, which she did under the **Law of Nations** on the 30 January 1840.

**2. Just spend a few minutes thinking about the drafting, translation and presentation of the Treaty of Waitangi.**

Do you really think Britain would have instructed a Captain in the Royal Navy to write a *"Partnership Deal"* with these primitive people? As the late Attorney General, Hon David Lange stated in an ABC Four Corners Programme in 1990, *"Did Queen Victoria for a moment think of forming a partnership with a number of signatures, a number of thumb prints and 500 people. Queen Victoria was not that sort of person"*. A document drafted by 3 men without any legal ability as shown by the wording of the Treaty was then translated into an inadequate language for this type of contract and finally written onto a piece of dog skin which was stored away in a shed where it was later damaged by fire and rats. It's debatable whether the British Parliament even knew of the Treaty of Waitangi as there is no mention of it in the Royal Charter/Letters Patent of 1839 or 1840. It was of little value, if any, in shaping New Zealand.

**3. Just spend a few minutes comparing these two documents, Te Tiriti o Waitangi and the 1839 Royal Charter/Letters Patent.**

There was no deal between Britain and the tangata Maori people. Britain obtained sovereignty over New Zealand under the **Law of Nations** by a beautifully prepared, written and presented Royal Charter/Letters Patent in 1839 issued by, *"Victoria by the Grace of God"* under *"The Great Seal of the United Kingdom of Great Britain and Ireland"*. The Royal Charter/Letters Patent of 1839 placed New Zealand under the

laws and dependency of New South Wales with the New South Wales Governor, Governor Gipps New Zealand's first Governor.

**4. Just spend a few minutes reading Mr T E Youngs "official" translation of the Tiriti o Waitangi for the Legislative Council in 1869.**

Lt. Governor Hobson's Treaty **did** promise tangata Maori, "*The same rights as the people of England if they gave up their territories and governments to the Queen*", which over 500 tangata Maori chiefs signed in 1840, but there was no mention of a "*Partnership*" or any privileges or advantages over any other people or their properties in New Zealand. Tangata Maori were promised to be treated the same as the people of England under one flag and one law. By signing the Treaty of Waitangi, tangata Maori accepted becoming British subjects, therefore, as British Subjects they gave up all their cultural rights. The people that signed the Treaty of Waitangi signed it as tangata Maori, not tangata whenua, therefore, accepting they were not the "*indigenous people or original inhabitants of New Zealand*", which was wrongly accepted by the United Nations and the New Zealand Government on the 19 April 2010.

**5. Just spend a few minutes thinking about how New Zealand became a British Colony with all the people of New Zealand under one flag and one law.**

Twelve months after Britain had claimed Sovereignty over all the islands of New Zealand by the 1839 Royal Charter/Letters Patent under the **Law of Nations**, Britain issued another Royal Charter/Letters Patent dated the 16 November 1840, again issued by "*Victoria by the Grace of God*" under "*The Great Seal of the United Kingdom of Great Britain and Ireland*". The 1840 Royal Charter/Letters Patent separated New Zealand from New

South Wales with a Governor, Governor Hobson and a Constitution to set up a political, legal and justice system under one flag and one law, irrespective of race colour or creed, but under the watchful eye of Great Britain. New Zealand became a British Colony and tangata Maori, British subjects and a British subject cannot be in *"Partnership with the Crown"*!

**6. Just spend a few minutes thinking about how corrupt it was to hide our true Founding Documents and first Constitution.**

All this information, including the 2 Royal Charters/Letters Patent were readily available in the Constitution Room at Archives New Zealand, but once the One New Zealand Foundation Inc. had brought this information to the public attention in 2014, Government dismantled the Constitution Room on the 17 April 2017 and hid our true Founding Documents and first Constitution amongst the other 6 million documents in Archives Repository. They must now be ordered if future researchers want to research them, that is, if they know they exist!

**7. Just spend a few minutes reading the 2 Royal Charters/Letters Patent and you will see the Treaty of Waitangi had nothing to do with "shaping New Zealand".**

Our Government spent \$7.2 million of taxpayer's money to set up the *He Tohu* Exhibit at the Nation Library in Wellington to exhibit the Declaration of Independence and the Treaty of Waitangi as, *"Iconic constitutional documents that shaped Aotearoa New Zealand"*. The Declaration of Independence and the Treaty of Waitangi had nothing to do with shaping New Zealand, New Zealand was shaped by the Royal Charter/Letters Patent of 1839 and 1840.

**8. Just spend a few minutes thinking about how there can be no *“Partnership between Maori and the Crown”*.**

Great Britain could never have formed a *“Partnership”* with tangata Maori under English law as British subjects cannot be, *“In Partnership with the Crown”*. New Zealand was shaped by the 1839 and 1840 Royal Charters/Letters Patent under one flag and one law, irrespective of race, colour or creed.

**Just spend a few minutes thinking about how the people of New Zealand have been “scammed” into believing the Treaty of Waitangi was our Founding Document. It was not and must be exchanged at the *“He Tohu”* exhibit for the two Royal Charters/Letters Patent, our true Founding Documents and first Constitution now hidden away in Archives Repository. These documents belong to all the people of New Zealand!**

For further information and copies of the above-mentioned documents, please log onto, [www.onenzfoundation.co.nz](http://www.onenzfoundation.co.nz).

By Ross Baker, Researcher, One New Zealand Foundation Inc. 6 June 2018. Copyright.

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# **Treaty of Waitangi Act 1975.**

# New Zealand's Biggest Scam – Ever!

**As our generation allowed it, our generation must abolish it for future generations!**

The 1975 Treaty of Waitangi Act that created the Waitangi Tribunal was the biggest “**Scam**” ever forced by Government on the People of New Zealand. It allowed one small group of New Zealand citizens who can claim a minute trace of tangata Maori ancestry (See 3, page 14 and 16) advantage and privilege under the law not available to any other New Zealand citizen. This is not the agreement our ancestors, both tangata Maori and non-Maori made with a hand shake and the words, “***He iwi tahi tatou – We are now one people***”, followed by 3 hearty cheers by the whole gathering at Waitangi on the 6 February 1840.

After Lt. Governor Hobson's final English draft of the Treaty of Waitangi and the Tiriti o Waitangi, that had been translated by the Rev Henry Williams and his son Edward into Maori was read and discussed on the 5 February 1840, the Tiriti o Waitangi was transcribed onto dog skin by the Rev Richard Taylor on the night of the 5 February 1840. On the 6 February 1840 the Tiriti o Waitangi written on dog skin was signed by 49 tangata Maori chiefs at Waitangi before being taken around the country and read, discussed and signed by a total of 540 tangata Maori chiefs. Once signed, the Tiriti o Waitangi was of little further value and was stored away in a shed where it was later damaged by fire and rats. Lt. Governor Hobson never wrote or authorised an English text of the Treaty of Waitangi to be signed by the tangata Maori chiefs. See copies of Treaty of Waitangi – Te Tititi o Waitangi page 15, 16, 17, 18.

In 1975 the National Government enacted the 1975 Treaty of Waitangi Act that created the Waitangi Tribunal. The Tribunal

was set up to hear Maori claims against the Crown that occurred **after 1975** and used an unauthorised English text of the Treaty of Waitangi compiled by Lt. Governor Hobson's secretary, James Freeman from James Busby's early rough notes. The final English draft of the Treaty of Waitangi went missing soon after Lt. Governor Hobson had read it to the gathering at Waitangi on the 5 February 1840. The only treaty document signed on the 6 February 1840 at Waitangi was the Tiriti o Waitangi. There was no English text of the Treaty of Waitangi signed on that day.

Lt. Governor Hobson never made or authorised an English text of the Treaty of Waitangi. There was one of James Freeman's compiled "unofficial" English text signed at Waikato Heads when the "official" Tiriti o Waitangi had not arrived, but this was after the gathering had been read, discussed and signed one of Hobson's 200 Church Mission Society printed copies of the Tiriti o Waitangi. As the CMS printed Tiriti of Waitangi document could only hold a few signatures, one of Freeman's compiled documents was used to hold further signatures but when presented for signing, was attached to the CMS printed copy of the Tiriti o Waitangi as one document. Hobson's signature on this copy is different from any other signature but it must be remembered he had just had a stroke. There is also opinion that it could be a forgery.

Lt Governor Hobson stated when instructing others gathering signatures that the only "official" Tiriti o Waitangi was that signed at Waitangi on the 6 February 1840 and the chiefs must fully understand it before they signed it. There was no English text of the Treaty of Waitangi read, discussed or signed at Waitangi on the 6 February 1840 or at any other venue.

In 1985 the Labour Government enacted the 1985 Treaty of Waitangi Amendment Act, **"That allowed claims dating back to 1840"**, many of which had already had *"full and final"* settlements in the 1930/40s. The 1985 Amendment Act included

Lt. Governor Hobson's "official" Te Tiriti o Waitangi that was signed by 540 tangata Maori chiefs from all over New Zealand, but mainly the North Island as the South Island was very sparsely populated in 1840 due to the intertribal fighting and much of the South Island land being sold by the chiefs to people from other lands before the Tiriti o Waitangi was signed in 1840.

The two Treaty of Waitangi Acts and the Waitangi Tribunal were the biggest "**Scam**" ever forced on the people of New Zealand by Government as they allowed one small group of New Zealand Citizens that can claim a minute trace of tangata Maori ancestry special rights under the law not available to any other New Zealand Citizen. This completely breached the Treaty of Waitangi that guaranteed to all the people of New Zealand, "*Tangata Maori would be given the same rights as the people of England*", if they gave up, "*All parts of New Zealand and their governments to the Queen*", which 540 tangata Maori chiefs agreed to when they signed the Tiriti o Waitangi in 1840 with a handshake from Lt. Governor Hobson.

English law did not allow tangata Maori to be given any special rights under the law or to be in "*Partnership with the Crown*"!

The Treaty of Waitangi had very little, if anything to do with Britain claiming sovereignty over all the islands of New Zealand or setting up our political, legal and justice systems under one flag and one law. Britain gained sovereignty over all the islands of New Zealand by Royal Charter/Letters Patent dated the 30 July 1839 on the 30 January 1840 under the "**Law of Nations**" (*Jure gentium*).

In 1877 Chief Justice Sir James Prendergast GCMC ruled the Treaty of Waitangi a "*simple nullity*". Under the Official Information Act dated the 12 January 2018, the One New Zealand Foundation Inc. asked the Ministry of Justice if this ruling had been over-ruled. Tania Ott, the Director, Senior Courts,

replied, *"The information you have requested is not held by the Ministry of Justice. Therefore, I am declining your request as allowed under section 18(g) of the Act as there are no grounds for believing that the information is held by other departments, Minister of the Crown or local authority"*.

The Privy Council also ruled in 1941, *"That unless it was incorporated into New Zealand statutes the Treaty of Waitangi was not legally binding"*.

Up until 1975 all claims by Maori against the Crown had been heard by the courts with no mention of the Treaty of Waitangi as it had been ruled by Chief Prendergast to be, *"a simple nullity"* and by the Privy Council, *"Not legally binding"*, therefore, the Treaty was not mentioned or used to settle claims before 1975.

It was only after the 1975 Treaty of Waitangi Act that Maori claims were based on the Treaty of Waitangi, a document that was ruled to be *"A simple nullity"* and *"Not legally binding"*. Hon Geoffrey Palmer must have realised this because he stated in 1992, *"It is true the Treaty of Waitangi Act 1975 and all the other statutes, which give explicit recognition to the Treaty are not entrenched. They can be swept away by a simple majority in Parliament"*. The Hon Winston Peters tried to have the Five Principles abolished but he was out voted by the *"puppets"* in Parliament.

Sir Geoffrey Palmer has now been given the task of making his reforms legal by having the Treaty of Waitangi incorporated into our Constitution. We cannot let this man do any more damage to New Zealand, he has done enough already!

In 1835 James Busby, the British Resident had tried to get the tangata Maori chiefs to sign the Declaration of Independence recognising tangata Maori sovereignty over all the island of New Zealand, but the chiefs were more interested in intertribal fighting than sovereignty or unity amongst the



tribes of New Zealand but only 52 chiefs signed the Declaration over a four- year period and it was abandoned. Five years later, 540 tangata Maori chiefs signed the Tiriti o Waitangi that showed tangata Maori wanted British sovereignty and protection under one flag and one law with, "*The same rights as the people of England*". No more – no less.

The Declaration of Independence or the Treaty of Waitangi were not mentioned in the Royal Charter/Letters Patent of 1839 that placed New Zealand under the laws and dependency of New South Wales or the 1840 Royal Charter/Letters Patent that made New Zealand into a British Colony and set up our political, legal and justice systems under one flag and one law, irrespective of race, colour or creed. The Treaty of Waitangi is not in our statutes, therefore, as the Privy Council ruled, "*Is not legally binding!*"

Both Chief Justice Prendergast's and the Privy Council's rulings are legally binding as there is no information held by the Ministry of Justice, other departments, Ministers of the Crown or local authority, that their rulings have been overturned.

The Treaty of Waitangi was a document drafted by James Stephen, the Undersecretary of Colonies and a strong supporter of the Clapham Sect in 1838. As Britain had not decided on how it would become involved in New Zealand in 1838, his draft was not intended to be a Treaty between Britain and the tangata Maori. It was solely to satisfy the Clapham Sect to make sure tangata Maori would be given, "*The same rights as the people of England*". Britain obtained sovereignty over all the islands of New Zealand on the 30 January 1840 under the "**Law of Nations**", not the Treaty of Waitangi as there was no political structure or Head of State that could sign on behalf of tangata Maori. See Law of Nations and the Clapham Sect page 14.

When Lord Normanby found Britain was to gain sovereignty over

New Zealand he wrongly believed tangata Maori had gained sovereignty over New Zealand by James Busby's 1835 Declaration of Independence and gave James Stephen's draft to Captain Hobson to draft a treaty and have tangata Maori sign it. He did not realise the Declaration of Independence had been a complete failure and Britain had gained sovereignty under the "**Law of Nations**". A Royal Charter/Letters Patent had been issued in 1839 by "*Victoria by the Grace of God*" under, "*The Great Seal of the United Kingdom of Great Britain and Ireland*". In fact, it is debatable whether the Britain Government even knew of the Treaty's existence before it was signed as no mention was made of it in the 1839 or 1840 Royal Charters/Letters Patent.

The 1839 Royal Charter/Letters Patent placed New Zealand under the laws and dependency of New South Wales on the 30 January 1840, seven days before the first signature appeared on the Treaty of Waitangi. See page 8.

From the 30 January 1840 until the 3 May 1841 New Zealand was under the laws and dependency of New South Wales. Governor Gipps, the Governor of New South Wales was also Governor of New Zealand and William Hobson his Lieutenant until the 1840 Royal Charter/Letters Patent made him Governor on the 3 May 1841.

Before Lt. Governor Hobson had left New South Wales for New Zealand, Governor Gipps had told him approximately two thirds of New Zealand had been sold by the tangata Maori chiefs to people from other lands with many of the Deeds of Sale held in the New South Wales Supreme Court where many still remain today. This was the reason Hobson included "*All the people in New Zealand*" in Article 2 of the Treaty as their property/taonga had to be protected the same as the tangata Maori had been promised in the Treaty under one flag and one law.

On the 16 November 1840 Britain issued a Royal Charter/Letters

Patent making New Zealand into a British Colony on the 3 May 1841 and Lt. Governor Hobson became Governor of New Zealand. The Royal Charter/Letters Patent gave New Zealand its first Constitution for Governor Hobson to set up political, legal and justice systems under one flag and one law, irrespective of race, colour or creed, but under the watchful eye of Great Britain. See page 10.

In 1979, the Hon Geoffrey Palmer entered politics and in 1983 became Attorney General and decided to reform the 1975 Treaty Waitangi Act and the Waitangi Tribunal, stating in his 1992 book, **New Zealand's Constitution in Crisis**, *"The factor that shaped my intellectual approach to Maori issues in New Zealand was my experiences in the United States. It was on this background that I drew, and with adaptations used as the basis for legislation to advance the interests of the Maori minority in New Zealand. I did some research on the outstanding grievances and it did not appear to me that looking into them would open the can of worms, which many feared. I took the view that the claims may take a decade to deal with, that it would cause some anguish, but it would be worth it in the end"*. Nearly 4 decades later and \$3.5 billion (2017) in settlements with many alleged claims still to be settled or topped up with no end in sight. It seems from his statement above, the Hon Geoffrey Palmer had over looked the fact, tangata Maori had been given, *"The same rights as the people of England"* while the black people of the United States were slaves without any rights what's so ever!

How did the Hon Geoffrey Palmer get it so wrong and why did our politicians go along with it when the evidence was held in Archives New Zealand Constitution Room until it was dismantled by the National Government in 2017?

When Attorney General, Sir Geoffrey Palmer was making his reforms in 1980's, he stated, *"I was utterly opposed to the Privy Council having anything to say about what the Treaty meant in New Zealand"*, but he must have known the Privy

Council had ruled in 1941, *"That unless it was incorporated into New Zealand statutes the Treaty of Waitangi was not legally binding"*. Chief Judge Prendergast had also ruled in 1877, *"The Treaty of Waitangi was a simple nullity"*.

After ten years of Maori trying to use the wording of the Treaty of Waitangi/Tiriti o Waitangi to claim against the Crown without success, the Attorney General, Hon Geoffrey Palmer and the Minister of Maori Affairs, the Hon Koro Wetere decided to write *"Five Principles for Crown Action on the Treaty of Waitangi"* based on a document that had been ruled a *"simple nullity"* and *"Not legally binding"*.

In March 1990, Prime Minister Geoffrey Palmer stated on the ABC's "Four Corners" TV programme, *"The meaning of the Treaty, in terms of its operational consequences now, was far from clear. In fact, it's a document that is so vague that that is its primary problem"*. See attached NZ Herald article Page 7.

The question that must be asked, how did the Hon Geoffrey Palmer and the Hon Koro Wetere use the Treaty of Waitangi to write the *"Five Principles for Crown Action on the Treaty of Waitangi"* in 1986 when they must have known the Treaty was, *"Far from clear, vague, a simple nullity and not legally binding"*?

Attorney General Hon David Lange stating on this same programme, *"Did Queen Victoria for a moment think of forming a partnership with a number of signatures, a number of thumb prints and 500 people. Queen Victoria was not that sort of person"*.

Sir Geoffrey Palmer has now been given the task to make the Treaty of Waitangi part of our Constitution to make the 1975 Treaty of Waitangi Act and his reforms legal. Too late Mr Palmer, your reforms and *"Five Principle for Crown Action on the Treaty of Waitangi"* were based on a document that was, *"Far from clear, vague, a simple nullity and not legally"*

*binding*", therefore, must all be abolished as they were no more than a "**SCAM**" to defraud the majority of New Zealanders of their legal rights!

On this same programme, the Governor General, the Rev Sir Paul Reeves of tangata Maori descent, threatened he would join Maori leaders in hinting that failure to address "*injustices*" under the Treaty of Waitangi would lead to violence or even civil war. Hardly a comment you would expect from the Queen's Representative, but the Government took note and has since given in to Maori's every demand at the expense of all other New Zealand Citizens.

It is interesting to note, that soon after this programme was aired, both the Hon Geoffrey Palmer and the Hon David Lange left front line politics. Had they realised the terrible mistakes they had made and with the Governor General and the Maori leaders now hinting at violence or even a civil war if they did not honour their promises and had decided to leave front line politics? What other reason would there be when they were at the height of their political careers.

Chief Justice Prendergast also stated, "*That any transactions by the Crown with Maori are to be regarded as Acts of the State, and therefore, are not examinable by any Court*". Especially, the apartheid Waitangi Tribunal!

In 1989 Lt.

Governor Hobson's final draft of the Treaty of Waitangi was found in the Littlewood's mother's estate and was called the "*Littlewood Treaty*" by the government's historians. While at first this created great excitement amongst all the historians and researchers it was soon realised by the Government that this could have a devastating effect on the Waitangi Tribunal's findings and the Government's settlements. It

showed the English text attached to the 1975 Treaty of Waitangi Act was not written or authorised by Lt. Governor Hobson. In 1992 Dame Claudia Orange made a public announcement, "*That the Littlewood Treaty was just another translation by an unknown author*" and was quickly hidden away from public view, but after pressure from the Littlewoods, was displayed in Archive's Constitution Room as, "*Just another early translation of the Tiriti o Waitangi*". It was later confirmed by historian Professor Phil Parkinson that it was penned by James Busby, the man who penned Lt. Governor Hobson's final draft on the 4 February 1840 and the date that appears on this document as well as being written on paper belonging to James Clendon where the final draft was written. There is no doubt from the evidence we have on file, this document was Lt. Governor Hobson's final draft of the Tiriti o Waitangi.

The One New Zealand Foundation Inc. extensively researched Hobson's final draft and by 1992 found there was no doubt it was the final draft and published its findings in 1992 in a book entitled, "*He iwi tahi tatou – We are now one people*". It was not until 2004 that Martin Doutre picked up on our research and between the ONZF and Martin we published a book called, "*The Littlewood Treaty, The True English Text of the Treaty of Waitangi Found*". Within a few months of this book being published, the Government had set up a \$6.5 million travelling exhibition called, "*Treaty 2 U*" that travelled the country to discredit our research. Even to the stage of busing in young impressionable school children to brainwash them into believing the Treaty of Waitangi was our Founding Document. No mention was made of Lt Hobson's final draft. When I inquired why it was not on display, I was given a Trespass Notice not to visit the *Treaty 2 U Exhibit* again and when I later visited Te Papa, I was given a Trespass Notice stopping me from visiting Te Papa for 3 years. In fact, Te Papa had our display on the Littlewood Treaty moved by the police from a site next to Te Papa owned by the Wellington Harbour Board who

had given the ONZF permission to set up our display on its land.

Lt. Governor Hobson's final English draft of the Treaty clarified the many distortions of the translations of the Tiriti o Waitangi and the misinformation that allow many of the Maori claims to be settled. The Government spent \$6.5 million of taxpayer's money to discredit our research and push a document that was ruled, "*A simple nullity*" and "*Not legally binding*".

Since the One New Zealand Foundation Inc. brought the Royal Charters/Letters Patent to the public's attention in 2015, the Government has dismantled New Zealand Archives Constitution Room where the two Royal Charters/Letters Patent were held and have filed them away amongst the other 6 million documents in Archive Repository where they will soon be forgotten and lost for ever. In fact, future researchers must now order these documents if they want to research them, that is, if they know they exist!

The Royal Charters/Letters Patent of 1839 and 1840 are beautifully written, decorated and preserved documents issued by, "*Victoria by the Grace of God*" under, "*The Great Seal of the United Kingdom of Great Britain and Ireland*". They are the documents that made New Zealand into a British Colony with its own Governor and Constitution that set up our political, legal and justice systems under one flag and one law, irrespective of race, colour or creed. They are preserved in pristine condition as our true Founding Documents and first Constitution. Once the Treaty of Waitangi was signed, it was stored away in an old shed as it was of little value, "*In shaping New Zealand*"! Later being damaged by rats and fire.

On the 17 April 2017 the Declaration of Independence and the Treaty of Waitangi, which were also held in the Constitution Room were moved to the new \$7.2 million taxpayer funded *He Tohu Exhibit* at the National Library, Wellington where the

people of New Zealand are **"Scammed"** once again by being told, *"They are our iconic constitutional documents that shaped Aotearoa New Zealand"*. It is time these **"traitors"** that set up this **"Scam"** were brought to justice for dismantling our Constitution Room and separating our Constitution documents. They have completely destroyed what our ancestors, both tangata Maori and non-Maori created with blood, sweat and tears 187 years ago with the words, ***"He iwi tahi tatou – We are now one people"*** followed by a hand shake and 3 hearty cheers!

I could go on with further evidence that the 1975 Treaty of Waitangi Act was a **"scam"** by Government. Especially when the Governor General and the Maori leader's threat in hinting that if Government did not give into Maori's every demand it could lead to violence or a civil war.

We have been **"scammed"** by the Treaty of Waitangi Act 1975 and its 1985 Amendment Act. The Treaty of Waitangi was not our Founding Document or our first Constitution and played no part, *"In shaping New Zealand"*. New Zealand was shaped by the Royal Charters/Letters Patent of 1839 and 1840 that have been place amongst the 6 million other documents at Archives Repository where they will be forgotten and lost for ever.

This was the advice Sir Geoffrey Palmer gave in his book, **"New Zealand's Constitution in Crisis"** in 1992 after his 1980 reforms, *"It is true the Treaty of Waitangi Act 1975 and all the other statutes, which give explicit recognition to the Treaty are not entrenched. They can be swept away by a simple majority in Parliament"*.

Our generation will more than likely be the last to know of our true Founding Documents and first Constitution that *"shaped New Zealand"*, therefore, we have a duty to past and future generations to force the Government to abolish, *"The Treaty of Waitangi Act 1975 and all the other statutes, which gave explicit recognition to the Treaty"* and to display the



Royal Charters/Letters Patent in all government buildings, schools, court houses and libraries around the country as they are our true Founding Documents and first Constitution that made New Zealand into a British Colony with a Governor and Constitution that set up our political, legal and justice systems under one flag and one law, irrespective of race, colour or creed.

Please don't let the politicians "**scam**" future generations as they have "**scammed**" us! We must force government to abolish the 1975 Treaty of Waitangi Act and the 1985 Treaty of Waitangi Amendment Act!

The One New Zealand Foundation Inc. can support all the above with documented evidence that was once held in the Constitution Room at Archives New Zealand, Wellington before the Government dismantled it to make our true history extremely difficult to find.

For further information and documented evidence, please read, **Chief Justice Prendergast ruled the Treaty of Waitangi, "A simple nullity"** published by the One New Zealand Foundation Inc., PO Box 7113, Palmerston North. \$10-00 each incl, P&P.

# Sir Paul and Govt differ over treaty on screen

NZPA

Sydney

The clashing views of the Governor-General, the Most Hon Sir Paul Reeves, and the New Zealand Government on the Treaty of Waitangi were aired on Australian television on Monday night.

The Prime Minister, Mr Palmer, and his predecessor, Mr Lange, now the Attorney-General, ruled out yielding to major financial and economic claims by Maori under the treaty when they were interviewed on the Australian Broadcasting Commission's Four Corners current affairs programme.

But Sir Paul joined Maori leaders in insisting that failure to address "injustices" under the treaty would lead to violence.

While Mr Palmer described the treaty as vague and unclear, Sir Paul compared it to the "covenant made between God and Abraham or God and Moses" and said it was a binding document.

"Many Pakeha people get impatient at what they see to be the ways in which Maoris keep on dredging up the things that happened 100 years ago," he said.

"They say: 'Why can't we just live together?' and Maoris can't buy into that because their injustices won't go."

"What we've got to do is relieve people of that sense of injustice and if we don't take the justice option, we run the risk of reaping the whirlwind."

Sir Paul said a white backlash against Maori claims was unavoidable and that the backlash was an expression of prejudice.

Even though change "scars" the past, Sir Paul said, it is not

prejudiced people, he urged legislators to create a society beneficial to all.

The head of the Ngatiaki Maori Trust Board, Mr Tipene O'Regan, acknowledged that the Crown could not afford to meet the value of the tribe's South Island claims and declined to say how much the tribe would accept in settlement.

But he agreed to the reporter's suggestion that it would have to be "hundreds of millions of dollars."

Sir Palmer said such expectations were unreasonable and would not be met.

"The idea that somehow hundreds of millions of dollars are going to change hands in a short period of time... I'm afraid, little," he said.

"And the reason it is idle is that the country can't afford it and it won't happen. And in any case I don't know of any authoritative adjudication anywhere that suggests it ought to happen."

Both Mr Lange and Mr Palmer warned against making literal interpretations from the treaty.

"Did Queen Victoria for a moment think of forming a partnership with a number of signatures, a number of thumb prints and 500 people?" Mr Lange said.

"Queen Victoria was not that sort of person. That does not detract from the significance of the Treaty of Waitangi. It can become the Magna Carta of New Zealand society but it is not

going to become that from Dead Sea scroll exchatology examination."

Mr Palmer said the meaning of the treaty, in terms of its operational consequences now, was "far from clear."

"In fact it's a document that is so vague that that is its primary problem," he said.

A Tainui leader, Mr Bob Makuta, said if thousands of young Maori were allowed to sit and brood on their situation, being unemployed and deprived, they would react like other young blacks around the world.

"They will take from the haves because they are the have-nots. They have nothing to lose," he said.

Asked if they would take by force, he said: "Naturally, yes."

A former Labour Government minister, the Hon Maiti Rata, said that when Maori people's faith in the rule of law was destroyed it introduced such thoughts as civil war.

"That would be so absurdly stupid," he said.

"That is why our ancestors signed the treaty."

It is unbelievable that after Hon Geoffrey Palmer made all his Treaty of Waitangi Reforms and Principles based on a documents he found was, *"Far from clear and vague"*, you would think he would have done his best to correct his errors. But no, he now wants to include this *"unclear, vague"* document in our Constitution to satisfy the Maori leaders that threatened violence or a civil war if Government did not honour his ridiculous Treaty of Waitangi promisses. **Has this man no principles?**

At least the Attorney General, the late Hon David Lange admitted, Queen Victoria would never have agreed, ***"To a Partnership between Maori and the Crown"***!

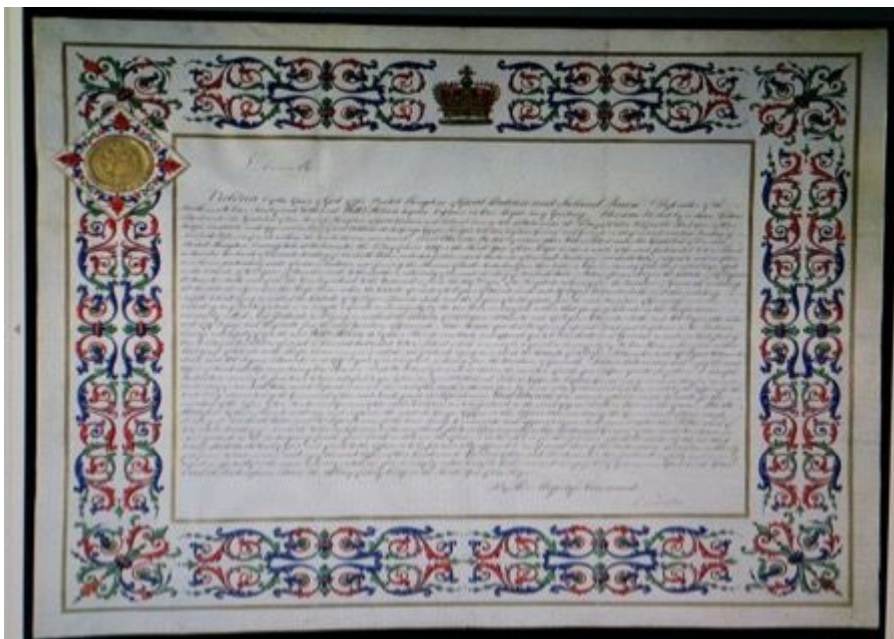
**Royal Charters/Letters Patent of 1839 and 1840.**

**Both these documents have been kept from our history to allow Government to "Scam" the People of New Zealand of their true Founding Documents and first Constitution. They have now been removed from Archive New Zealand's Constitution Room and place**

**out of sight in Archive Repository.**

Below is the 'Charter/Letters Patent' appointing William Hobson as Lieutenant Governor of New Zealand and extending the boundaries of New South Wales to include all the islands of New Zealand in 1839. **Sir George Gipps, Governor of New South Wales was in fact the first Governor of New Zealand with Captain William Hobson as his Lieutenant.**

**The 1839 Royal Charter/Letters Patent for New South Wales and New Zealand**



The document reads:

**Victoria R**

Victoria by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith – To Our Trusty and Well beloved William Hobson Esquire, Captain of the Royal Navy Greeting. Whereas We did by certain Letters Patent under the Great Seal of Our United Kingdom of Great Britain and Ireland bearing date at Westminster the 5th day of October 1837 in the First year of Our Reign constitute and appoint Our Trusty and Well beloved Sir George Gipps, Knight, to be Our

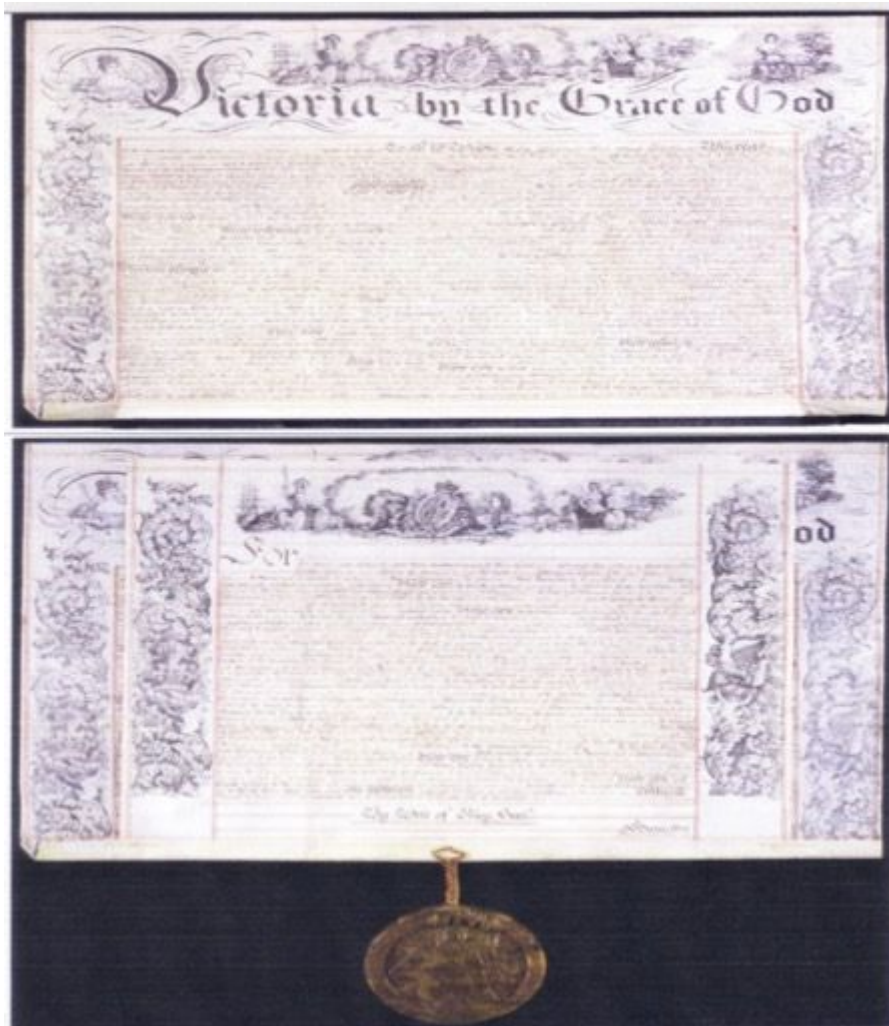
Captain General and Governor in Chief in and over Our Territory of New South Wales, comprised within the limits therein mentioned. And Whereas We did by certain other Letters Patent under the Great Seal of Our said United Kingdom, bearing date at Westminster the 15th day of June 1839 in the Third Year of Our Reign revoke so much of the said first recited Letters Patent as describes the limits of Our said Territory of New South Wales, and did further extend the limits of Our said Territory of New South Wales (subject to such exception as is therein particularly made of certain Territories now forming the Province of South Australia) from the Northern Cape or extremity of the Coast called Cape York in the latitude of 10 Degrees 37 Minutes South to the Southern extremity of the said Territory of New South Wales or Wilson's promontory in the latitude of 39 Degrees 12 Minutes South and of all of the Country inland to the Westward as far as the 129th Degree of East longitude reckoning for the Meridian of Greenwich including all the Islands adjacent in the Pacific Ocean within the latitude aforesaid of 10 Degrees 37 Minutes South and 39 Degrees 12 Minutes South, and also including Norfolk Island lying in or about the latitude of 29 Degrees 3 Minutes South and 168 Degrees of East Longitude from the said Meridian of Greenwich, and also including any Territory which is or maybe acquired in Sovereignty by Us Our Heirs or Successors within that group of Islands in the Pacific Ocean commonly called New Zealand, and lying in or about the latitude of 34 Degrees 30 Minutes North and 47 Degrees 10 Minutes South, and 166 Degrees 5 Minutes and 179 Degrees East longitude from the said Meridian of Greenwich. Now Know you that We reposing especial Trust and Confidence in the Prudence Courage and Loyalty of you the said William Hobson do by these Present constitute and appoint you to be Our Lieutenant Governor in and over that part of Our Territory so described as foresaid in Our said last recited Letters Patent which is or maybe acquired in Sovereignty by Us Our Heirs or Successors within that group of Islands in the Pacific Ocean commonly called New Zealand, lying in or about the latitude of 34

Degrees 30 Minutes North and 47 Degrees 10 Minutes South, and 166 Degrees 5 Minutes and 179 Degrees East longitude reckoning from the Meridian of Greenwich. To have hold exercise and enjoy the said Office of Lieutenant Governor during Our Pleasure: And We do hereby command that in the execution of such your Office you do obey all such lawful Instructions as may be from time to time addressed to you by Our Trusty and Well beloved Sir George Gipps, Our Captain General and Governor in Chief in and over Our Territory of New South Wales and its Dependencies or in the event of his death or absence from the limits of his Government and command by the Officer for the time being administering the Government of Our said Territory and its Dependencies. And Whereas it is necessary that provision be made for the execution of the Office of Our Lieutenant Governor of Our said Territories in New Zealand in the event of your Death or absence therefrom, We do therefore by these Presents authorise and empower the said Sir George Gipps or the Officer Administering the Government of Our said Territory of New South Wales and its Dependencies for the time being to nominate and appoint by an Instrument under the Public Seal of Our said Territory of New South Wales, such person as he may think fit to act provisionally as Our Lieutenant Governor of Our said Territories in New Zealand in the contingency of such your Death or absence therefrom, or until other or further provision shall be made by Us in that behalf. And We do hereby give and grant to the Officer so to be provisionally appointed as aforesaid, during the continuance of such his authority full power to hold exercise and enjoy the said Office of Our Lieutenant Governor of Our said Territories in New Zealand as fully and in every respect as effectually as the same as is hereby vested in you, or may be by virtue hereof be held, exercised or enjoyed by you – Given at Our Court at Buckingham Palace the 30th day of July 1839, in the Third Year of Our Reign. By Her Majesty's Command, Lord Normandy.

Below is Queen Victoria's Royal Charter/Letters Patent, dated

the 16 November 1840. The Constitution of the Colony of New Zealand into a separate colony on the 3 May 1841. Archives New Zealand Ref. No. ACG0 8341 1A1 9. See New Zealand Archive's disk, page 14.

**Royal Charter of 1840. Constitution of the Colony of New Zealand into a separate colony 3 May 1841.**



**This is New Zealand true Founding Document and first Constitution.**

**The Constitution Reads:**



## CONSTITUTIONAL CHARTER OF NEW ZEALAND

CHARTER FOR ERECTING THE COLONY OF NEW ZEALAND, AND FOR CREATING AND ESTABLISHING A LEGISLATIVE COUNCIL AND AN EXECUTIVE COUNCIL, AND FOR GRANTING CERTAIN POWERS AND AUTHORITIES TO THE GOVERNOR FOR THE TIME BEING OF THE SAID COLONY.

Victoria, & c. to all whom these presents shall come, greeting.

1. Whereas by an Act of Parliament made and passed in the fourth year of our reign, intituled, "An Act to continue, until the 31st day of December 1841, and to the end of the then next Session of Parliament, and to extend the provisions of an Act to provide for the administration of justice in New South Wales and Van Diemen's Land, and for the more effectual government thereof, and for other purposes relating thereto," after reciting amongst other things that the said colony of New South Wales is of great extent, and, that it may be fit that certain dependencies of the said colony should be formed into separate colonies, and provision made for the temporary administration of the government of any such newly-erected colony, it is enacted, that it shall be lawful for us, by Letters Patent to be from time to time issued under the great seal of the United Kingdom, to erect into a separate colony or colonies any islands which now are or which hereafter may be comprised within and be dependencies of the said colony of New South Wales; and whereas the islands of New Zealand, at the time of the passing of the above recited Act, were comprised within and were dependencies of the said colony of New South Wales. Now know ye that we, in pursuance of the said recited Act of Parliament, and in exercise of the powers thereby vested in us, of our especial grace, certain knowledge, and mere motion, have thought fit to erect, and do hereby erect the said islands of New Zealand, and all other islands adjacent thereto, and lying between the 34th degree 30 minutes north to the 47th degree 10 minutes south latitude, and between the 166th degree 5 minutes to the 172d degree of east longitude (reckoning from the meridian of Greenwich) into a separate colony, accordingly. And we do hereby declare that from henceforth the said Islands shall be known and designated as the colony of New Zealand, and the principal adjacent islands, heretofore known as, or commonly called the "Northern Island" the "Middle Island," and "Stewart's Island," shall henceforward be designated and known respectively as "New Ulster," "New Munster", and "New Leinster".
2. And whereas by the said recited Act of Parliament it is further enacted, that in case we shall by any letters patent as aforesaid establish any such new colony or colonies as aforesaid, it shall be lawful for us by any such letters patent, to authorise any number of persons, not less than seven, including the governor or lieutenant-governor of any such new colony or colonies, to constitute a Legislative Council or Legislative Councils for the same, and that every such Legislative Council shall be composed of such persons as shall from time to time be named or designated by us for that purpose, and shall hold their places therein at our pleasure, and that it shall be lawful for such Legislative Council to make and ordain all such laws and ordinances as may be required for the peace, order, and good government of any such colony as aforesaid, for which such Legislative Council may be so appointed; and that in the making all such laws and ordinances, the said Legislative Council shall conform to and observe all such instructions as we, with the advice of our Privy Council, shall from time to time make for their guidance therein. Provided always, that no such instructions and that no such laws or ordinances as aforesaid shall be repugnant to the law of England, but consistent therewith so far as the circumstances of any such colony may admit; provided

also, that all such laws and ordinances shall be subject to our confirmation or disallowance, in such manner and according to such regulations as we by any such instructions as aforesaid shall from time to time see fit to prescribe; provided also, that all instructions which shall, in pursuance of the said recited Act, be made by us, with the advice of our Privy Council, and that all laws and ordinances which shall be made in pursuance of the said recited Act, by any such Legislative Council of any such newly-erected colony as last aforesaid, shall be laid before both Houses of Parliament within one month from the date of any such instructions, or from the arrival in this kingdom of the transcript of any such laws or ordinances, if Parliament shall then be in session sitting, or if not, then within one month of the commencement of the next ensuing session of Parliament. Now, therefore in pursuance and further exercise of the powers so vested in us as aforesaid in and by the said recited Act of Parliament, we do by these our letters patent authorise the governor or the lieutenant-governor for the time being of the said colony of New Zealand and such other persons, not less than six, as are hereinafter designated, to constitute and be a Legislative Council for the said colony; and in further exercise of the powers aforesaid, we do hereby declare that, in addition to the said governor or lieutenant-governor, the said Legislative Council shall be composed of such public officers within the said colony, or of such other persons as shall from time to time be named or designated for that purpose by us, by any instruction or instructions or warrant or warrants to be by us for that purpose issued under our signet and sign manual and with the advice of our Privy Council, all of which Councillors shall hold their places in the said Council at our pleasure.

3. And we do hereby require and enjoin that such Legislative Council shall, in pursuance of the said Act of Parliament, make and ordain all such laws and ordinances as may be required for the peace, order, and good government of the said colony of New Zealand, and that in the making all such laws and ordinances the said Legislative Council shall conform to and observe all such instructions as we, with the advice of our Privy Council, shall from time to time make for their guidance therein.
4. And whereas it is expedient that an Executive Council should be appointed to advise and assist the governor of our said colony of New Zealand for the time being in the administration of the government thereof, we do therefore, by these our letters patent, authorise the governor of our said colony for the time being to summon as an Executive Council such persons as may from time to time be named or designated by us in any instructions under our signet and sign manual, addressed to him in that behalf.
5. And we do hereby authorise and empower the governor of our said colony of New Zealand for the time being to keep and use the public seal appointed for the sealing of all things whatsoever that shall pass the seal of our said colony.
6. And we do hereby give and grant to the governor of our said colony of New Zealand for the time being full power and authority, with the advice and consent of our said Executive Council, to issue a proclamation or proclamations, dividing our said colony into districts, counties, hundreds, towns, townships and parishes, and to appoint the limits thereof respectively.
7. And we do hereby give and grant to the governor of our said colony of New Zealand for the time being, full power and authority, in our name and on our behalf, but subject nevertheless to such provisions as may be in that respect contained in any instructions which may from time to time be addressed to him by us for that purpose, to make and execute, in our name and our behalf, under the public seal of our said colony, grants of waste land, to us belonging within the same, to private persons, for their own use and



benefit, or to any persons, bodies politic or corporate, in trust for the public uses of our subjects there resident, or any of them.

8. Provided always, that nothing in these our letters patent contained shall affect, or be construed to affect, the rights of any aboriginal natives of the said Colony of New Zealand, to the actual occupation or enjoyment in their own persons, or in the persons of their descendants, of any lands in the said Colony now actually occupied or enjoyed by such natives.
9. And we do hereby authorise and empower the Governor of our said Colony of New Zealand for the time being, to constitute and appoint judges, and, in cases requisite, commissioners of oyer and terminer, justices of the peace, and other necessary officers and ministers in our said Colony, for the due and impartial administration of justice, and for putting the laws into execution, and to administer or cause to be administered unto them such oath or oaths as are usually given for the due execution and performance of these offices and places, and for the clearing of truth in judicial matters.
10. And we do hereby give and grant unto the Governor of our said Colony of New Zealand for the time being, full power and authority, as he shall see occasion, in our name and on our behalf, to remit any fines, penalties, or forfeitures, which may accrue or become payable to us, provided the same do not exceed the sum of fifty pounds sterling in any one case, and to respite and suspend the payment of any such fine, penalty, or forfeiture exceeding the said sum of fifty pounds, until our pleasure thereon shall be made known and signified to such Governor.
11. And we do hereby give and grant unto the Governor of the said Colony of New Zealand for the time being, full power and authority, as he shall see occasion, in our name and on our behalf, to grant to any offender, convicted of any crime in any Court, or before any judge, justice, or magistrate within our said Colony, a free and unconditional pardon, or a pardon subject to such conditions as by any law or ordinance hereafter to be in force in our said Colony may be thereunto annexed, or any respite of the execution of the sentence of any such offender for such period as to such Governor may seem fit.
12. And we do hereby give and grant unto the Governor of our said Colony of New Zealand for the time being, full power and authority, upon sufficient cause to him appearing, to suspend from the exercise of his office, within our said Colony, any person exercising any office or place under or by virtue of any commission or warrant granted, or which may be granted by us, or in our name or under our authority; which suspension shall continue and have effect only until our pleasure therein shall be made known and signified to such Governor. And we do hereby strictly require and enjoin the Governor of our said Colony for the time being, in proceeding to any such suspension, to observe the directions in that behalf given to him by our instructions under our signet and sign manual accompanying his commission of appointment as Governor of the said Colony.
13. And in the event of the death or absence out of our said Colony of New Zealand of such person as may be commissioned and appointed by us to be the Governor thereof, we do hereby provide and declare our pleasure to be, that all and every the powers and authorities herein granted to the Governor of our said Colony of New Zealand for the time being shall be, and the same are hereby vested in such person as may be appointed by us by warrant under our signet and sign manual, to be the Lieutenant-Governor of our said Colony, or, in the event of there being no person within our said Colony commissioned and appointed by us to be Lieutenant-Governor thereof, then our pleasure is, and we do hereby provide and

declare, that in any such contingency all the powers and authorities herein granted to the Governor or Lieutenant-Governor of our said Colony shall be, and the same are hereby granted to the Colonial Secretary of our said Colony for the time being, and such Lieutenant-Governor, or such Colonial Secretary, as may be, shall possess all and every the powers and authorities herein granted until our further pleasure shall be signified, therein.

14. And we do hereby require and command all our officers and ministers, civil and military, and all other the inhabitants of our said Colony of New Zealand, to be obedient, aiding and assisting to such person as may be commissioned and appointed by us to be the Governor of our said colony, or, in the event of his death or absence, to such person as may, under the provisions of these our letters patent, assume and exercise the functions of such governor.

And we do hereby reserve to us our heirs and successors full power and authority from time to time, to revoke, alter or amend these our letters patent as to us or them shall seem meet.

In witness, &c. witness, &c.

16 November 1840

**(1). The Law of Nations** recognized no other mode of assuming dominion/sovereignty in a country of which the inhabitants were ignorant of the meaning of sovereignty, and therefore incapable of ceding sovereignty rights. This was the case with the people inhabiting New Zealand, for whom it would have been impossible for Captain Cook or Lt. Governor Hobson to have obtained British sovereignty by cession. Tangata Maori consisted of hundreds of small individual tribes without any form of united government, continually at war with each other for territories.

**(2). The Clapham Sect** was a group of aristocratic evangelical Anglicans, prominent in England from about 1790 to 1845, who campaigned for the abolition of slavery, to protect indigenous peoples from colonial exploitation and to promote missionary work at home and abroad. The group centered on the church of John Venn rector of Clapham in south London. While little, if anything is published about the Clapham Sect in New Zealand's history, it had a great influence on the instructions given to Captain William Hobson on the drafting of the Treaty of

Waitangi by Sir James Stephen, the Undersecretary for the Colonies and a very strong supporter and member of the Clapham Sect. Sir James Stephen had also drafted the "*Slavery Abolition Act of 1833*".

**(3). Tangata Maori.** *"The traditions are quite clear on one point, whenever crew disembarked there were already tangata whenua (prior inhabitants).The canoe ancestors of the 14-century merged with these tangata whenua tribes.* Dr Ranginui Walker in the, **1986 New Zealand Year Book**, page 18,



This disk was supplied by Marilyn Little, Chief Archivists, Archives New Zealand. Government cannot dispute the fact, that the Royal Charter/Letters Patent dated the 16 November 1840 was our true Founding Document and first Constitution that separated New Zealand from New South Wales into a separate British Colony with its own Governor to set up a political, legal and justice

systems under one flag and one law, irrespective of race, colour or creed.

For further information and documented evidence, please read, **Chief Justice Prendergast Ruled the Treaty of Waitangi, "A simple nullity"**. Available from the One New Zealand Foundation Inc. [ONZF@bigpond.com.au](mailto:ONZF@bigpond.com.au).

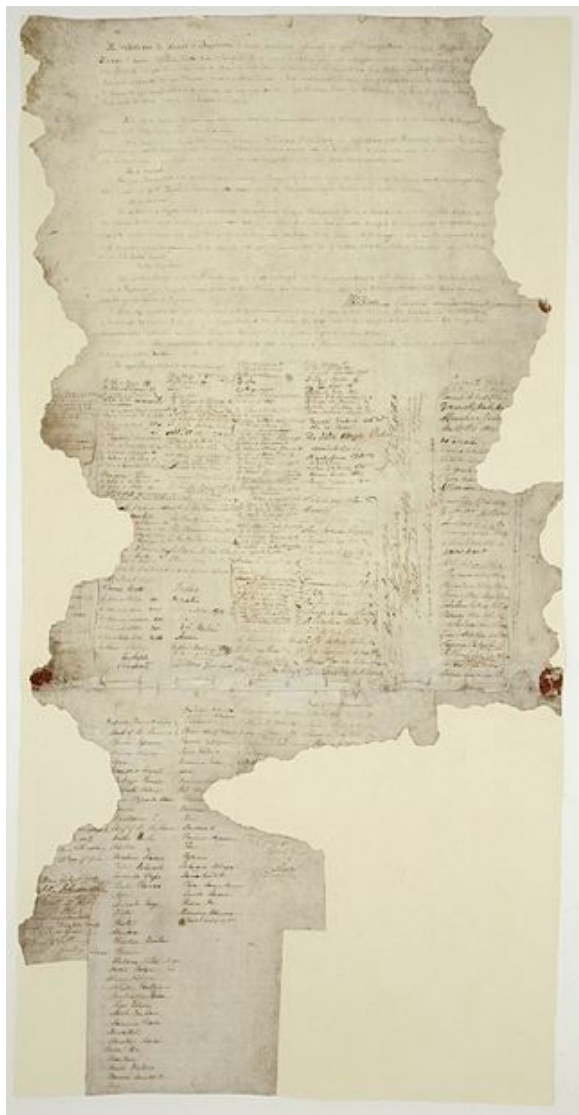
# The Treaty of Waitangi – Te Tiriti o Waitangi

Once the Tiriti o Waitangi was signed, it was of little value and was stored away in a shed where it was later damaged by fire and rats. The Tiriti o Waitangi was not part of New Zealand becoming a British Colony with a Governor and Constitution that set up our political, legal and justice systems. British Sovereignty was gained over New Zealand by the “**Law of Nations**” and the Royal Charters/Letters Patent of 1839 and 1840 were our true Founding Documents and first Constitution that set up New Zealand’s political, legal and justice systems under one flag and one law, irrespective of race colour our creed.

The Tiriti o Waitangi was signed by 540 tangata Maori chiefs who acknowledged they were not the tangata whenua or the Indigenous People of New Zealand. Tangata Maori gave up their governments and territories to the Queen in return for, “*The same rights as the people of England*”. See Te Tiriti o Waitangi, Article 3 below. See tangata Maori (3) page 14.

**Te Tiriti o Waitangi.**  
**draft dated 4th of February 1840.**

**Lt. Governor Hobson’s final**



Her Majesty Victoria, Queen of England in Her gracious consideration of the chiefs and the people of New Zealand, and Her desire to preserve to them their lands and to maintain peace and order amongst them, has been pleased to appoint an officer to treat with them for the cession of the Sovreignty of their country and of the islands adjacent, to the Queen.

Seeing that many of Her Majesty's subjects have already settled in the country and are constantly arriving, and it is desirable for their protection as well as the protection of the natives, to establish a government amongst them.

Her Majesty has accordingly been pleased to appoint me William Hobson, a captain in the Royal Navy to be Governor of such parts of New Zealand as may now or hereafter be ceded to Her Majesty and proposes to the chiefs of the Confederation of United Tribes of New Zealand and the other chiefs to agree to the following articles.

#### Article First

The chiefs of the Confederation of the United Tribes and the other chiefs who have not joined the confederation, cede to

the Queen of England for ever the entire Sovreignty of their country.

#### Article Second

The Queen of England confirms and guarantees to the chiefs and the tribes and to all the people of New Zealand, the possession of their lands, dwellings and all their property. But the chiefs of the Confederation of United Tribes and the other chiefs grant to the Queen, the exclusive rights of purchasing such lands as the proprietors thereof may be disposed to sell at such prices as may be agreed upon between them and the person appointed by the Queen to purchase from them.

#### Article Third

In return for the cession of the Sovreignty to the Queen, the people of New Zealand shall be protected by the Queen of England and the rights and privileges of British subjects will be granted to them.

Signed, William Hobson  
Consul and Lieut. Governor.

Now we the chiefs of the Confederation of United Tribes of New Zealand assembled at Waitangi, and we the other tribes of New

Zealand, having understood the meaning of these articles, accept of them and agree to them all. In witness whereof our names or marks are affixed.

Done at Waitangi on the 4th of Feb. 1840. Lt. Governor Hobson's final draft of the 4th of February 1840

## **The Three Texts of the Treaty of Waitangi**

*"People of New Zealand"* was changed to *"tangata Maori"* in the Tiriti o Waitangi.

<p><b>The “Unofficial Royal Style” text compiled from early notes by James S Freeman and attached to the 1975 Treaty of Waitangi Act.</b></p> <p>Her Majesty Victoria Queen of the United Kingdom of Great Britain and Ireland regarding with Her Royal Favour the Native Chiefs and Tribes of New Zealand and anxious to protect their just Rights and Property and to secure to them the enjoyment of Peace and Good Order has deemed it necessary in consequence of the great number of Her Majesty’s Subjects who have already settled in New Zealand and the rapid extension of Emigration both from Europe and Australia which is still in progress to constitute and appoint a functionary properly authorized to treat with the Aborigines of New Zealand for the recognition of Her Majesty’s Sovereign authority over the whole or any part of those islands. Her Majesty therefore being desirous to establish a settled form of Civil Government with a view to avert the evil consequences which must result from the absence of the necessary Laws and Institutions alike to the native population and to Her subjects has been graciously pleased to empower and to authorize “me William Hobson a Captain” in Her Majesty’s Royal Navy Consul and Lieutenant Governor of such parts of New Zealand as may be or hereafter shall be ceded to Her Majesty to invite the confederated and independent Chiefs of New Zealand to concur in the following Articles and Conditions.</p> <p>ARTICLE THE FIRST</p> <p>The Chiefs of the Confederation of the United Tribes of New Zealand and the separate and independent Chiefs who have not become members of the Confederation cede to Her Majesty the Queen of England absolutely and without reservation all the rights and powers of Sovereignty which the said Confederation or Individual Chiefs respectively exercise or possess, or may be supposed to exercise or to possess, over their respective Territories as the sole Sovereigns thereof.</p> <p>ARTICLE THE SECOND</p> <p>Her Majesty the Queen of England confirms and guarantees to the Chiefs and Tribes of New Zealand and to the respective families and individuals thereof the full exclusive and undisturbed possession of their Lands and Estates Forests Fisheries and other properties which they may collectively or individually possess so long as it is their wish and desire to retain the same in their possession; but the Chiefs of the United Tribes and the individual Chiefs yield to Her Majesty the exclusive right of Pre-emption over such lands as the proprietors thereof may be disposed to alienate at such prices as may be agreed upon between the respective Proprietors and persons appointed by Her Majesty to treat with them in that behalf.</p> <p>ARTICLE THE THIRD</p> <p>In consideration there of Her Majesty the Queen of England extends to the Natives of New Zealand Her royal protection and imparts to them all the Rights and Privileges of British Subjects.</p> <p>[Signed] W Hobson Lieutenant Governor</p> <p>Now therefore We the Chiefs of the Confederation of the United Tribes of New Zealand being assembled in Congress at Victoria in Waitangi and We the Separate and Independent Chiefs of New Zealand claiming authority over the Tribes and Territories which are specified after our respective names, having been made fully to understand the Provisions of the foregoing Treaty, accept and enter into the same in the full spirit and meaning thereof in witness of which we have attached our signatures or marks at the places and the dates respectively specified</p> <p>Done at Waitangi this Sixth day of February in the year of Our Lord one thousand eight hundred and forty.</p>	<p><b>The “Official” Maori text translated by Reverend Henry Williams and his son Edward. This document was read, discussed and signed by 540 tangata Maori chiefs in 1840 and attached to the 1985 Treaty of Waitangi Amendment Act.</b>KO Wikitoria te Kuini o Ingarani i tana mahara atawai ki nga Rangatira me nga Hapu o Nu Tirani i tana hiahia hoki kia tohungia ki a ratou o ratou rangatiratanga me to ratou wenua, a kia mau tonu hoki te Rongo ki a ratou me te Atanoho hoki kua wakaaro ia he mea tika kia tukua mai tetahi Rangatira–hei kai wakarite ki nga tangata Maori; o Nu Tirani–kia wakaaetia e nga Rangatira Maori; te Kawanatanga o te Kuini ki nga wahikatoa o te Wenua nei me nga Motu–na te mea hoki he tokomaha ke nga tangata o tona Iwi Kua noho ki tenei wenua, a e haere mai nei.Na KO te Kuini e hiahia Ana kia wakaritea te Kawanatanga kia kaua AI nga kino e puta mai ki te tangata Maoriki te Pakeha e noho ture kore Ana Na, kua pai te Kuini kia tukua a hau a Wiremu Hopihona he Kapitana i te Roiara Nawi hei Kawana MO nga wahi katoa o Nu Tirani e tukua aiane, amoa atu ki te Kuini, e mea atu Ana ia ki nga Rangatira o te wakaminenga o nga hapu o Nu Tirani me era Rangatira atu enei ture KA korerotia nei.</p> <p>KO TE TUATAHI</p> <p>KO nga Rangatira o te wakaminenga me nga Rangatira katoa hoki ki hai i uru ki taua wakaminenga KA tuku rawa atu ki te Kuini o Ingarani ake tonu atu–te Kawanatanga katoa o ratou wenua.</p> <p>KO TE TUARUA</p> <p>KO te Kuini o Ingarani KA wakarite KA wakaae ki nga Rangatira ki nga hapu–ki nga tangata katoa o Nu Tirani te tino rangatiratanga o ratou wenua o ratou kainga me o ratou taonga katoa. Otiia KO nga Rangatira o te wakaminenga me nga Rangatira katoa atu KA tuku ki te Kuini te hokonga o era wahi wenua e pai AI te tangata nona te Wenua–ki te ritenga o te utu e wakaritea AI e ratou KO te kai hoko e meatia nei e te Kuini hei kai hoko mona.</p> <p>KO TE TUATORU</p> <p>Hei wakaritenga mai hoki tenei MO te wakaaetanga ki te Kawanatanga o te Kuini–KA tiakina e te Kuini o Ingarani nga tangata Maori; katoa o Nu Tirani KA tukua ki a ratou nga tikanga katoa rite tahi ki Ana mea ki nga tangata o Ingarani.</p> <p>[Signed] William Hobson Consul &amp; Lieutenant Governor</p> <p>Na KO matou KO nga Rangatira o te Wakaminenga o nga hapu o Nu Tirani KA huihui nei ki Waitangi KO matou hoki KO nga Rangatira o Nu Tirani KA kite nei i te ritenga o enei kupu, KA tangohia KA wakaaetia katoatia e matou, koia KA tohungia AI o matou ingoa o matou tohu. KA meatia tenei ki Waitangi i te ono o nga RA o Pepueri i te tau kotahi mano, e waru rau e wa te kau o te tatou Ariki.</p>	<p><b>The “Official” Translation from the Original Maori text by Mr. T.E. Young, Native Department for the Legislative Council in 1869. This is virtually word for word with Hobson’s final draft.</b>Victoria, Queen of England, in her kind thoughtfulness to the Chiefs and Hapus of New Zealand, and her desire to preserve to them their chieftainship and their land, and that peace may always be kept with them and quietness, she has thought it a right thing that a Chief should be sent here as a negotiator with the Maoris of New Zealand – that the Maoris of New Zealand may consent to the Government of the Queen of all parts of this land and the islands, because there are many people of her tribe that have settled on this land and are coming hither.Now the Queen is desirous to establish the Government, that evil may not come to the Maoris and the Europeans who are living without law.</p> <p>Now the Queen has been pleased to send me, William Hobson, a Captain in the Royal Navy, to be Governor to all the places of New Zealand which may be given up now or hereafter to the Queen; and he give forth to the Chiefs of the Assembly of the Hapus of New Zealand and other Chiefs the laws spoken here.</p> <p>The First</p> <p>The Chiefs of the Assembly, and all Chiefs also who have not joined the Assembly, give up entirely to the Queen of England for ever all the Government of their lands.</p> <p>The Second</p> <p>The Queen of England arranges and agrees to give to the Chiefs, the Hapus and all the people of New Zealand, the full chieftainship of their lands, their settlements and their property. But the Chiefs of the Assembly, and all the other Chiefs, gives to the Queen the purchase of those pieces of land which the proprietors may wish, for such payment as may be agreed upon by them and the purchaser who is appointed by the Queen to be her purchaser.</p> <p>The Third</p> <p>This is an arrangement for the consent to the Government of the Queen. The Queen of England will protect all the Maoris of New Zealand. All the rights will be given to them the same as her doings to the people of England.</p> <p>William Hobson Consul and Lieutenant Governor</p> <p>Now, we the Chiefs of the Assembly of the Hapus of New Zealand, now assembled at Waitangi. We also, the Chiefs of New Zealand, see the meaning of these words: they are taken and consented to altogether by us. Therefore, are affixed our names and marks.</p> <p>This done at Waitangi, on the sixth day of February, in the year one thousand eight hundred and forty, of Our Lord.</p>
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Lt. Governor Hobson gave the following instruction to those gathering further signatures. *“The treaty which forms the base of all my proceedings was signed at Waitangi on the 6 February 1840, by 52 chiefs, 26 of whom were of the federation, and formed a majority of those who signed the Declaration of Independence. This instrument I consider to be de facto the*



*treaty, and all signatures that are subsequently obtained are merely testimonials of adherence to the terms of that original document”.*

1. Governor Hobson never made or authorised an English text of the Treaty of Waitangi. The only text read, discussed or signed by the 540 tangata Maori chiefs was the “Official” Maori text, “Te Tiriti o Waitangi”. No English text was read, discussed or signed at Waitangi on the 6 February 1840, only the Tiriti o Waitangi with a handshake and the words, **“He iwi tahi tatou – We are now one people”** to which, the whole gathering gave three hearty cheers.

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## **Update on Allan Titford.**

Allan Titford remains a model prisoner while held at the South Auckland Corrections Centre since 2013, even although the Ombudsman, the courts and his Case Manager has accused him of sexually assaulting his children to stop visiting rights to his young son Leo.

**Allan Titford was not charged or convicted of sexually assaulting his children, one of the worst crimes a man can commit, but the Ombudsman, the courts and his case manager continue to say he sexually assaulted his children! This is a lie!**



Mr Titford's Case Manager, Erica Hiyama in her report dated the 8 August 2015 stated, *"Allan currently is serving 24 year sentence for multiple charges of violent and sexual offences against his ex-wife and children"*. Ms Hiyama, Mr Titford was not convicted of sexually assaulting his

children!

This shows how little research Ms Hiyama put into Mr Titford's report. A serious mistake that stopped Mr Titford's young son Leo from visiting his father and a mistake that has put Mr Titford in great danger while in prison.

In a letter to the One New Zealand Foundation Inc. dated the 16 November 2015, Chief Ombudsman, Dame Beverley Wakem stated, *"In November 2013 Mr Titford was convicted of a number of offences including fraud, perjury, arson, assault of family members and sexual offences towards his wife and children"*. Ms Wakem, Mr Titford was not convicted of sexually assaulting his children and puts him in great danger while in prison! Chief Ombudsman, Dame Beverley Wakem resigned from the Ombudsman's Office soon after making this very serious mistake. This was not the first time Chief Ombudsman, Dame Beverley Wakem has made errors when dealing with Mr Titford and his land confiscation at Maunganui Bluff..

On page 1, (2) of the Department of Corrections Panel Consideration dated the 13 March 2017, it states, *"Given the extensive and prolonged nature of Mr Titford's violent offending, a full psychological risk assessment needs to be undertaken to assess the dynamic risk factors underlying the reactive sexual and general violence that Mr Titford was convicted of. This leaves the inability to prove a clear risk analysis"*. Mr Titford was not convicted of sexually assaulting

his children and puts him in great danger while in prison as well stopping visiting rights to his son Leo!

The Appeal Judge, Justice Rhys Harrison also stated Mr Titford was convicted of sexually assaulting his children when summing up at Mr Titford's Appeal on the 14 July 2017. Judge Rhys Harrison, Mr Titford was not convicted of sexually assaulting his children and puts him in great danger while in prison! Why was this not challenged by Mr Titford's Barrister, Ron Mansfield at the time?

It is surprising Barrister Ron Mansfield, who represented Mr Titford at his Appeal base the Appeal on Mr Titford being unfit to stand trial. Why would he decide to fight Mr Titford's convictions on these grounds when Mr Titford was not allowed one witness in his defence? Did he want Mr Titford's Appeal to fail?

**One of the most crucial aspects of a fair legal trial is the right to call witnesses on both sides; Mr Titford was never given this opportunity at his trial.**

I agree Mr Titford should not have visiting right to his son Leo if he had been convicted of sexually assaulting his children, but no mention of sexually assaulting his children was made by anyone at any time before, during or after the trial, therefore no charges were laid.

**Mr Titford is completely innocent of sexually assaulting his children but the Ombudsman, the courts and his Case Manager are determined to say Mr Titford sexually assaulted his children resulting in him being refused visiting rights to his young son Leo and a great danger to him while in prison.**

Leo was only five years old when the decision was made to refuse him visiting rights to see his father, he is now 8 and still he is being refused. These are the most formative years of any young boy and for the Ombudsman, the courts and Mr Titford's Case Manager to deny him visiting rights based on

false information is extremely unfair to both father and son.

During his trial, Mr Titford was refuse witnesses in his defence. All the evidence by his wife and children had little, if any cross examination by his lawyer Mr John Moroney and no documented evidence was supplied to support their claims.

The Universal Declaration of Human Rights, article 11, states: *"Everyone charged with a penal offence has the right to be presumed **innocent until proved guilty** according to law in a public trial at which **he** has had all the guarantees necessary for his defence"*. Mr Titford was refused witnesses in his defence at his trial.

**Allan Titford was not found guilty, he had a guilty verdict handed down by Judge Duncan Harvey who had only heard the Crown's witnesses before jailing him for 24 years!**

On the 2 February 2011 Mr Titford's daughter Ulanda wrote, *"And all the stuff we had to write and say about dad. I did not understand any of it. I tried to ask but was told just to do it. No one would explain nothing to me"*. It was stated at the trial that their mother, Susan Titford had promised the children \$5000 each if they would testify against their father.

There is no doubt, Allan Titford is a marked man because he stood up for his rights when his freehold titled farm was taken for Te Roroa's false land claim at Maunganui Bluff in 1995. After a full judicial inquiry by Chief Judge Shepherd in 1939 it was found Te Roroa had no claim to this land and it was rejected by Parliament in 1942, but after twisting the truth and omitted the sale documents etc., the Waitangi Tribunal found in the claimants favour.

While Mr Titford continues to fight for his rights and the rights of every New Zealander who owns free hold titled property, the Government and its departments are hell bent on making Mr Titford's and his son's life as miserable as

possible.

Under International Law, Mr Titford is innocent until proven guilty, therefore he deserved a new trial where he is allowed witnesses in his defence and the right through his lawyer to cross examine his wife and children!

Ross Baker, Researcher, One New Zealand Foundation Inc.  
8/3/2018. (Copyright)

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## Hot off the Press

### Chief Justice Prendergast Ruled the Treaty of Waitangi, “*A Simple Nullity*”!

The One New Zealand Foundation Inc. has just written and published one of the most controversial books ever written on New Zealand’s history. **It tells how,**

1. Britain became involved in New Zealand because of Ngapuhi’s cowardly atrocities forced on their unarmed country men, women and children from the 1820s until Britain put an end to the fighting and cannibalism and brought peace between the tribes of New Zealand. Without British intervention, tangata Maori would be long gone!
2. The Treaty of Waitangi was ruled a “***simple nullity***” in 1877. Great Britain had already gained sovereignty over all the islands of New Zealand by the **Royal Charter/Letters Patent** dated the 25 August 1839 under the “**Law of Nations**”, long before the first signature

appeared on the **Treaty of Waitangi**.

3. The **1839 Royal Charter/Letters Patent** placed New Zealand under the laws and dependency of New South Wales from the 30 January 1840 until the 3 May 1841.
4. The **Royal Charter/Letters Patent** dated the 16 November 1840 separated New Zealand from New South Wales on the 3 May 1841 and made New Zealand into an **Independent British Colony**. **New Zealand's true Founding Document and first Constitution that: "*Shaped New Zealand's political, legal and justice systems*".**
5. The two **Royal Charters/Letters Patents** were issued by, "*Victoria by the Grace of God*" under "*The Great Seal of the United Kingdom of Great Britain and Ireland*", **the Treaty of Waitangi was not!**
6. Attorney General, Hon Geoffrey Palmer admitted he made mistakes with his apartheid Treaty of Waitangi reforms in the 1980s; based on his studies into American Civil Rights while at the University of Chicago which had no relationship to New Zealand
7. Our Minister's for Treaty of Waitangi Negotiations continued to allow many of the claims that had already had "***full and final***" settlements in the 1930s/40s to be re-heard based on false, fabricated or omitted history costing the taxpayers of New Zealand \$3.5 billion to date – 2017. Sir Douglas Graham's ridiculous relativity clause for Tainui and Ngai Tahu, an ongoing burden on the people New Zealand.
8. Our two **Founding Documents**, the **1839 and 1840 Royal Charters/Letters Patent** have been removed from the Constitution Room at Archives New Zealand and concealed in Archives Repository where they will be forgotten and lost forever amongst the other 6 million documents and must be ordered by future researchers, that is, if they know they exist. These documents belong to all the people of New Zealand and must be displayed at ***He Tohu*** as our true **Founding Documents** and first **Constitution**.
9. It shows how **PC** (Politically Corrupt) Governments have

become since the **1975 Treaty of Waitangi Act**.

**All the above concealed from the people of New Zealand by our Governments!**

A must read if you want to know the true history of New Zealand and not the history that the people of New Zealand have been brainwashed into believing by our Governments since the “apartheid” **1975 Treaty of Waitangi Act** that resulted in the “corrupt” **Waitangi Tribunal** and the “unconstitutional” **Five Principles and Partnership between Maori and the Crown**. The **1975 Treaty of Waitangi Act** and its **1985 Amendment** were the most corrupt, unconstitutional and apartheid Acts of Parliament ever forced on the people of New Zealand.

**Wake up New Zealand, our Governments have been dishonest!**

**The lies and false information must stop now, we have a right to know the truth!**

Purchase your copy for only \$10-00 P & P from the One New Zealand Foundation Inc., P O Box 7113, Palmerston North, New Zealand. Email: [ONZF@bigpond.com.au](mailto:ONZF@bigpond.com.au).

**Donations gratefully accepted to help distribute the truth.**

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## **Some Tips about Te Reo**

*“Words, words, words”*

– *Shakespeare, “Hamlet”, Act 2, Scene 2*

While the meaningful glance certainly has its place, for the much greater part of our communication, we use words, spoken and, until modern times much less often, written – in a word: “language”.

A communicating group from a tribe to an empire will develop a language understood by all, which will change slowly over the years as the needs for expression and habits of speech change within the group. As one group becomes dominant over others, so will its language.

Thus Latin, the language of Rome, came to be spoken over an area from the borders of Scotland to the deserts of the Dead Sea, facilitated by the great system of roads built by the Romans to control their empire.

But let the empire break down, communication cease, and the processes of change within a language do their work. Within a few centuries, Latin in the speech of ordinary people had split up into perhaps two dozen distinct languages with varying degrees of intelligibility between them. In France alone at the time of Napoleon, about seven distinct Romanesque languages with numerous dialects were spoken, not counting the Celtic tongue of Brittany. Of these perhaps Occitan and that of the Languedoc, of the ‘oc’ not ‘oui’ for ‘yes’, were the most distinctive, with Catalan over the Pyrenees intermediate between it and imperial Spanish.

It was only the establishment of strong central government, of modern communications and the restored Académie Française which created standard modern French based on that of Paris



while similar processes in Italy led to the Florentine language becoming the basis of modern Italian.

One dramatic example is Melanesia whose people over more than ten thousand years spread over New Guinea and more than 2000 islands to its east, the latest probably Fiji about three thousand years ago. The mountains and jungles of New Guinea, the seas between the islands and the universal practice of cannibalism served to split the people into many isolated groups and language followed its inevitable course.

By the time Europeans arrived there were reckoned to be 600 languages in New Guinea, more than a hundred in Vanuatu and seventy-odd in the Solomon islands, mostly mutually unintelligible.

The spread of people into Polynesia began somewhat later and the divergence of language consequently has been less though a glance at the instructions in Tongan, Samoan, New Zealand and Cook Islands Maori, Tokelauan and Niuean in "how to vote" pamphlets issued at our elections shows that the differences are quite considerable.

Because the best current evidence<sup>[1]</sup> indicates that our Polynesian immigrants came from the Cook Islands area about seven hundred years ago, that is where the divergence appears to be least. "Ikoraki", the name of a prominent Rarotongan peak and "Hikurangi" that of an East Coast mountain, show a typical change in the language of New Zealand Maoris.

And so, how did things develop in New Zealand? The rugged topography and heavy native bush of New Zealand meant that the settlements of at most somewhat over 120,000 [\[iii\]](#) in pre-European times were often widely separated. Given the tribal organization, endemic warfare and cannibalism between the tribes, normal social contact between them will have been even less than geographic barriers dictated though news was said to travel fast. The conditions were tailor-made for language divergence.

So what actually happened? In pre-European times language was solely oral and there is simply no way of knowing how it actually sounded. Interested Europeans recorded in writing the speech they heard and it would be a weak argument today to claim that they were wrong. One of the very first was Georg Forster, naturalist on Cook's first voyage. In the brief encounter with the Katimamoe remnant of Dusky Sound before they were, all but one young woman, killed and eaten by a Kai Tahu war party, Forster recorded a couple of dozen of their words, mostly names for birds. [\[iiii\]](#) However, even though something of the language of Queen Charlotte Sound was understood by Cook and others in "Endeavour" more adept at language who had spent some time in Tahiti, that of Dusky Sound was virtually unintelligible to them.

Even in less isolated areas of Southland, Europeans who understood northern dialects well enough could not understand the language of resident Kai Tahu. [\[iv\]](#)

Now first, be it noted, the sounds in any two languages are never quite the same. Hence we detect a "foreign accent" in the English of a non-native speaker and even within countries. A Yorkshireman, a Scot and a Northern Irishman speaking

English sound recognizably different from a BBC announcer. Having grown up in Bluff, I have been identified by my speech as a Southlander.

Second, we should note that in New Zealand, missionaries and others writing down what they heard could differ amongst themselves when they heard different speakers and depending on their own language experience. There was no “correct” spelling. Thus when JL Nicholas in 1817 wrote “rungateeda” and missionaries chose “rangatira” one would have been as good as the other.

Quite a number of the early missionaries were from the English social class which dropped its “h’s” thus Maoris learning English would naturally imitate them. Hone (or John) Heke was said to be one of them.

Third, be it noted, written Maori was a construct of Europeans, not Maoris. **So no Maori either then or today has any better authority to proclaim the spelling of any Maori word than anybody else.**

By the year 1840, northern missionaries had developed a reasonably consistent spelling of the speech of northern Maoris amongst whom they worked.[\[v\]](#) When the highly experienced and competent Henry and Edward Williams[\[vi\]](#) translated Hobson’s final English draft of 4th February that was the spelling they used. It is instructive to look at their text of the actual treaty document which, it appears, remarkably few people who claim to be experts actually do.

They even went as far as to transliterate Hobson's name and rank as "Wiremu Hopihana he Kapitana i te Roiara Nawi" – overdoing it indeed in my view! Their word for "land" which appears several times is "wenua"; not a "whenua" nor a "wh" anywhere in sight![\[vii\]](#)

Even more instructive is their transliteration of "February" to "Pepueri", the month when the treaty was signed and dated of course.

Now why should this be? There is no sensible reason why the Williams should have avoided using an "f" in their text, nor "wh" for any sound approximating that in English "when" and "why" in Ngapuhi speech. The reason must be simply that they did not exist.

An "f" does exist in some island languages. Fanaofo is one of the Tokelau Islands. "Fale" or "fare" is the word for a house, rendered "whare" in Maori but sounded as "warre" in the Wanganui heartlands. While "f" may have persisted in some Maori dialects, it was clearly dropping out of use. One reason, as Jean Jackson pointed out,[\[viii\]](#) was that women with tattooed lips could not pronounce it.

So "wh"? Well, maybe. In the Taranaki dialect, a "w" could be followed by a glottal stop as in some island languages,[\[ix\]](#) rendered in writing with an apostrophe (e.g. Ma'a Nonu), so the name of the cult boss of Parihaka would be rendered best by "Te W'iti". Meka Whaitiri is an MP; Jimmy Waitiri was my Bluff classmate. Is one right – the other wrong?

As for the Wellington locality: not “Kaiwharawhara” but “Kaiwara-wara, Kaiwara, and Kaiwarra (the most used) all appear in the records.”[\[x\]](#) It was “Wakatu” not “Whakatu” for Nelson[\[xi\]](#), “Wangaree” for “Whangarei” and “Wangaroa” to Hone Heke in a letter to Henry Williams, on 1st December 1847 – the list goes on and on.

But a “wh” pronounced “f” as observed so conscientiously by most radio and television announcers today? It becomes increasingly obvious that this is nothing but a latter-day invention of pseudo-scholars.

Nothing has stopped the Geographic Board scattering “wh” in all sorts of placenames. Koiterangi, scene of Stanley Graham’s notorious 1941 rampage, they have renamed Kowhitirangi. Rangiaohia, scene of the monstrous lie of an 1864 church-burning, is now Rangiaowhia. Can it be seriously suggested that in writing the names of these places settlers omitted an “f” sound?

While there is perhaps a case for standard spelling of the mixture now decreed to be “Te Reo”, there is no valid case for it in placenames but evidently that is paramount in the minds of Geographic Board bureaucrats. In their arrogant decision that Wanganui should become Whanganui, they contemptuously ignored the wishes of 80% of the residents who voted on it that its name should remain unchanged. So it is now “Fonganui” on the airwaves.

There are harbours and inlets in the coastline of New Zealand, named simply by Maoris as “long harbour” in the local dialect.

Some are Wangaloa, Akaroa, [Little] Akaloa, and Whangaroa, while Lyttelton harbour was Whakaraupo – showing dialectical variants which have not yet fallen victims to Geographic Board diktat. Westhaven Inlet has not been so fortunate, being now decreed to be Whanganui Inlet.

So. elsewhere, less interference and more respect for what the settlers actually heard – the dialect of the local Maoris – should, I suggest, override bureaucratic uniformity. While the “ng” sound developed in the north, it only rarely replaced “k” south of the Rakitata River, with weak final syllables often clipped off. The Otago Heads village as I heard it was the “kaik”, not “kainga”; an elderly Karitane woman of Maori descent spoke of “kaio” trees, not “ngaio”.

Tree ferns were “bungies”, not “punga”. When we boys carried out mock battles with flax sticks, they were “keladdies” not “korati”, though when I asked a Maori elder at Rapaki in Lyttelton Harbour for his choice he could not understand either!

Again, we have more accurately “Wakatip”, not “Wakatipoo” and a dominant peak near Nelson, scene of several murders by the Burgess gang, was “Mokotap” to the locals, brown and white alike, but now decreed to be “Maungatapu”. “Aoraki” mercifully overtook “Aorangi”, being applied in their ignorance by the Geographic Board pundits to Mount Cook but never its Maori name. As A.P. Harper found out and quite specifically reported,[\[xii\]](#) there were no Maori names for the remote peaks where they did not go and “Aoraki” was the name of the fluffy white clouds which frequently cover them.

Two more different spoken languages that English and Maori it would be hard to find. English has many more sounds – voiced consonants – “b,d,j,z,zh”; diphthongs – or compound vowels and even triphthongs – “our” as in “flour”. Many words end in consonants and multi-syllable words are accented. Maori has none of these features.[\[xiii\]](#) And so, for people whose first language is English, their pronunciation of Maori words will inevitably depart from any “pure” form. I heard once a Hokitika man with the good Maori name of Maui pronounce it “M-a-u-i” – actually a very pleasant sequence but nothing like most people would say it – another barrier Te Reo has to face. But it works both ways! An elderly Wanganui River women talked to me of “Ranana” – “London” to you and me.

The language of a Stone Age people had no words for the many complexities of modern civilization. Indeed this lack was already starkly evident in 1840 when Maoris had no words for “sovereignty” and “possession” – so the missionary-coined words “kawanatanga” and “rangatiratanga” were used in the Treaty of Waitangi – providing endless opportunities for people with devious intentions to twist it. With no word for “library” in a culture which had no books, Christchurch City Council, obliged to put “Maori” labels on everything, chose “kete wananga”, derived, I suppose, from “wisdom basket” – cute, eh? Other libraries – other words.

Transliteration is another technique – “tiriti” for a start. With all public buildings required to have “Maori” titles we find artificialities like “kaporeihana”, “kanihera” and “pirihimana”. The nearby supermarket is decorated with signs saying things like “pikitete”, “waina” and “kawhe”[\[xiv\]](#) Accepting, as is decreed, that “wh” must be pronounced “f”, as an exercise try working out what these words are supposed to mean. Does anybody seriously believe that they will be used in

normal conversation? Some recent enthusiasts are reported to have added many thousands of words to the Maori vocabulary, presumably using this process – surely an exercise in futility?

One Apanui Ngahiwi of the Maori Language Commission wrote: “In fact, it is a taonga protected by article two of the Treaty of Waitangi because that is exactly what the Maori Language Act 2016 (section 8 (g)) says it is. The act creates a partnership between Maori and the Crown for the revitalisation of te reo Maori. It recognises te reo Maori as the foundation of Maori culture and identity and that the lives of iwi and Maori are enhanced by knowledge and use of the language.” [\[xv\]](#)

Now, there is no such thing in the Treaty as a “partnership” while in 1840, “taonga” meant simply material property. That Maori speech needs such gross distortions of the truth shows what dire straits it is in.

We should be wise enough to learn from the experience of others – the Irish for example. Following independence from Britain, the Irish Government made strenuous efforts with considerable expense to extend the use of Gaelic and it became compulsory in schools but almost nobody uses it and the Gaeltacht, the supposedly Gaelic-speaking region, is shrinking fast. In 1953 I heard people freely speaking Scots Gaelic in Ullapool but in four visits to Ireland, I heard it spoken only once – by schoolgirls rehearsing their homework. Even in the remote Aran Islands, supposedly a Gaelic stronghold, its use is declining. With the young listening to English-speaking radio and TV stations, that becomes their preferred language.



We may feel some sadness at the decline of the historic Gaelic language but the hard fact is that the prime purpose of language is communication and people will inevitably use the most useful language for it. We may feel the same about that increasingly artificial language Te Reo, but Gaelic and Te Reo will inevitably become ornamental languages like Latin – OK for a few school mottoes and the like and little else.

English is the international language.[\[xvi\]](#) I have taught English to Tibetans, Poles, Czechs and Ni-Vanuatu – all eager to learn it. As I write (17th March 2017), a granddaughter of mine is en route to Colombia to teach English at a Spanish-speaking school.[\[xvii\]](#) North of the Arctic Circle, Norwegian schoolboys come to meet the coastal steamers to practice their English on the tourists aboard.[\[xviii\]](#) Tune in to BBC TV or Aljazeera and you will find people speaking in English – a Mexican, a Pole and a Gambian in one bulletin I noted. The coat of arms of Uganda bears the words “For God and my Country”.[\[xix\]](#) From India to Namibia it is understood almost everywhere and the Chinese, no fools, are becoming very proficient in it. We can be thankful that English is the normal native tongue of the New Zealand-born. Parents who “immerse” their children in Te Reo instead play a cruel trick on them to advance their own agenda. Excellence in English should be a prime objective of our schools and that is the place to spend taxpayers’ money.

Bruce Moon

Nelson

17th March 2017

(With minor additions, 20/21 January 2018)

[\[i\]](#) While there is compelling evidence of earlier settlers in New Zealand, their origin is a matter of debate and their language submerged and forgotten in pre-European times.

[\[ii\]](#) For a careful estimate of 127,000, see John Robinson, "When two cultures meet", Tross, 2012, ISBN 1 872970 31 1

[\[iii\]](#) Forster's list and much other fascinating detail is given in "Dusky Bay", A. Charles Begg and Neil C. Begg, Whitcombe and Tombs, 1966

[\[iv\]](#) Maoris from south of the Waitaki River were generally emphatic in their preference for "Kai Tahu" over "Ngai Tahu", the more common form in the north. Note too that "Waitangi" is the northern form of "Waitaki".

[\[v\]](#) Missionary Wohlers on Ruapuke Island in Foveaux Strait chose to use the northern written forms of Maori words even though they did not represent accurately the southern speech. Scots' choice of standard written English even though their own speech was decidedly different is an exact parallel. Earlier, Scots spelling had been highly variant as shown vividly by the 1888 diary of a Scots kinsman of mine.

[\[vi\]](#) Edward being considered "facile princeps" or "easily best" by Hugh Carleton, Henry's biographer

[\[vii\]](#) We may compare "tangata whenua" with Moriori "tchakat henu"

[\[viii\]](#) In a telephone conversation with me

[\[ix\]](#) "Taranaki War 1860-2012 Our Legacy – Our Challenge", an exhibition in the Nelson Provincial Museum in 2012-3. (Note

the date '2012'! What was the Taranaki Provincial Museum which constructed the exhibition alleging with that? One Kelvin Day who was responsible wrote to me on 20<sup>th</sup> December 2012 saying: "there is no such thing as one true history". Well, well. Isn't "true history" is an account of what actually happened!)

[x] Ian Wards, "The Shadow of the Land", Department of Internal Affairs, 1968, p. 218 f/n

[xi] *ibid.*, p.219

[xii] A.P. Harper, "Pioneer Work in the Alps of New Zealand", 1896, pp 10ff.

[xiii] A former member of the Maori Battalion with whom I worked on a construction site in 1951 told me that it was easy learning some Italian. The structure of Italian and Maori has similarities.

[xiv] A few of the examples around Nelson

[xv] Ngahiwi Apanui, Letter, "Dominion Post", 18<sup>th</sup> February 2017

[xvi] Many Maoris of the colonial period thus saw the importance of their children becoming fluent in English. See for example the 1876 petition of Wi Te Hakiro and 336 others that "[T]here should not be a word of Maori allowed to be spoken in the [native] school". Much is made by some today of the corporal punishment of children caught speaking Maori, ignoring the fact that in those unenlightened days it was applied for all breaches of school rules.

[xvii] With a B.Sc. in mathematics from Melbourne and six months as a school exchange student in Madrid, she is a bright young woman though I do wonder how well her Castilian Spanish will go down in darkest South America. As she lands there in Cartagena, where in 1585 Thomas Moone, Drake's favourite captain and a remote relation, received a mortal

wound, I have warned her to be careful!

[\[xviii\]](#)      Myself amongst them

[\[xix\]](#) The country in which, incidentally, my Father's brother lies buried.

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# GOVERNMENT HAS NO RIGHT TO HIDE OUR CONSTITUTIONAL DOCUMENTS!

The Declaration of Independence and the Treaty of Waitangi had very little, if anything to do with shaping New Zealand. The Declaration being a failed attempt by James Busby to have tangata maori sovereignty recognised over New Zealand and tangata maori to set up their own government but as only 52 chiefs supported this, it was abandoned without one meeting taking place. The Treaty was to satisfy the Clapton Sect by Britain giving tangata maori, "*The same rights as the people of England*". In 1877 Chief Justice James Prendergast declared, the *Treaty of Waitangi* was "*a simple nullity*".

The two documents issued under the Great Seal of the United Kingdom of Great Britain and Ireland that shaped and made New Zealand into a British Colony were the Royal Charter/Letters Patent dated the 30 July 1839, which extended the boundaries of New South Wales to include all the islands of New Zealand, **and**, The Royal Charter/Letters Patent dated the 16 November 1840 that separated New Zealand from New South Wales and made New Zealand into a British Colony on the 3 May 1841 with its own Governor and Constitution that set up our political, legal and justice systems under one flag and one law, irrespective

of race colour or creed.

The Treaty of Waitangi is not mentioned in either of these Royal Charters as it was to satisfy the Clapham Sect by giving tangata maori, *"The same rights as the people of England"*. The Treaty of Waitangi was drafted in 1838 by Sir James Stephens, the Under Secretary for Colonies and a strong supporter of the Clapham Sect that was set up to, *"Protect the natives in countries Britain was colonising"*, but legally, ***"a simple nullity"***. See **"The Clapham Sect and the Treaty"** [www.onenzfoundation.co.nz](http://www.onenzfoundation.co.nz).

The Treaty of Waitangi was never intended to be part of our Constitution, but government, with the help of Sir Geoffrey Palmer, the man who instigated the disastrous "Five Principles for Crown Action on the Treaty of Waitangi" and "Section 9 of the State Owned Enterprise Bill" are writing a new Constitution based on the Treaty of Waitangi. To do so, the Government has dismantled the Constitution Room at Archive New Zealand that held our true Constitutional documents and placed them amongst the 6 million other documents in Archives Repository where they will be forgotten and lost forever. In fact, future researchers will have to order these documents, that is, if they actually know they exist.



To give the Declaration of Independence and the Treaty of Waitangi credibility as Constitutional documents, the government moved them in darkness to the new \$7.2 million "He Tohu Exhibit" at the National Library, Wellington calling them, *"Iconic*

*constitutional documents that shaped Aotearoa New Zealand"*. While Cabinet Minute CAB Min (12) 14/11 dated the 30 April 2012 agreed to move the Constitution Room to the National Library, Wellington, there was no mention that our true

Constitutional documents would be hidden by government in the Repository at Archives New Zealand amongst the other 6 million documents where they must be ordered by future researchers if they actually know they exist .

To hide our countries true Constitutional documents is corrupt, no government has the right to touch Constitutional documents! Our true Constitutional documents must be placed in the "He Tohu Exhibit" at the National Library immediately for all to see and those responsible, charged with tampering with our Constitution".

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