

Government destroys “One Law for All”!

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As racism is being used to honour the Treaty of Waitangi, it is an illegal document!

“ONE LAW FOR ALL” was destroyed when the National Government enacted the Treaty of Waitangi Act in 1975 and the Labour Government enacted the Treaty of Waitangi Amendment Act in 1985 with Attorney General Geoffrey Palmer dreaming up his “Five Principles for Crown Action on the Treaty of Waitangi” in 1986. But the final nail in the coffin was when Labour established the Ministry for Maori Crown Relations in 2019. New Zealand became a fully divided country of part-Maori and non-Maori! **One Government is as bad as the other!**

These three Acts and the Ministry of Maori Crown Relations are costing the people of New Zealand who cannot claim a minute trace of tangata Maori ancestry, billions of dollars and many of our most valuable assets. We are being held to ransom by a document that can no longer be translated. A document that was to unite our country and its people, built by our ancestors, both Maori and Pakeha based on the fact, we were to be one people under one flag and one law, irrespective of race colour or creed.

“He iwi tahi tatou–We are now one people”.

Since 1975 governments have breached the Treaty of Waitangi which gave tangata Maori, “*The same rights as the people of England*” and Queen Victoria’s 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 a Governor and Constitution that set up New Zealand’s political, legal and justice systems under one flag and one law, irrespective of race colour or creed. **“One Law for All”!** See page 4*

To add insult to injury, Maori academics have destroyed their ancestor’s once beautiful language with their *“bastardised”* translations of the Tiriti o Waitangi. An agreement that can no longer be translated as intended in 1840.

Tangata Maori became British Subjects, *“With the same rights as the people of England”* after their chiefs had signed the Treaty of Waitangi in 1840, but the government overlooks the fact, there was only, ***“One Law for All”***, English Law and under English Law, *“A British Subject cannot be in Partnership or in a Relationship with the Crown”*.

Governments have dishonoured the Treaty of Waitangi by twisting and omitting vital parts of our history. Government dismantled the Constitution Room at Archive New Zealand in 2017 and hid Queen Victoria’s Royal Charter/Letters Patent in Archives Repository out of the public’s view. It then built the *He Tohu Exhibition* at the National Library in Wellington at a cost of \$7.2 million to elevate the Tiriti o Waitangi to *“An iconic constitutional document that shaped Aotearoa New Zealand”*. The Treaty of Waitangi was never a constitutional document and did not shape New Zealand, it only asked tangata Maori to give up their kawanatanga/governments and in return, they would become British Subjects under one law and one flag.

The 1975 Treaty of Waitangi Act allowed Maori to have their own Tribunal where non- Maori cannot lay a claim, participate, or appeal a recommendation. New Zealand now has one law for part-Maori citizens and one law for all other New Zealand citizens which completely breaches the Tiriti o Waitangi and Queen Victoria’s 1840 Royal Charter/Letters Patent of, ***“One***

Law for All”!

Governments have dismantled the Constitution Room at Archives New Zealand, have produced websites that omit vital parts of our history, funds Te Papa our National Museum, built the \$7.2 million He Tohu exhibition at the National Library, Wellington, and many other publications to justify the most corrupt Act ever forced on the people of New Zealand – The 1975 Treaty of Waitangi Act and its amendments, which created the unlawful, apartheid Waitangi Tribunal destroying what our ancestors had intended and agreed to in 1840 – “ONE LAW FOR ALL”!

The Government has no right to re-write our history!

To deliberately dismantle the Constitution Room at Archives New Zealand where Queen Victoria’s Royal Charter was on display once the One New Zealand Foundation Inc brought it to the public attention in 2014, shows how far our governments will go to hide the errors it has made since the 1975 Treaty of Waitangi Act that created the Waitangi Tribunal. This would be the most corrupt Act ever forced on the People of New Zealand by any government as it gives one group of New Zealand Citizens who can claim a minute trace of tangata Maori ancestry advantage and privilege over all other Citizens based on race and race alone! This was never the intention of the Treaty of Waitangi, which stated, “*Tangata Maori would be given the same rights as the people of England*”. **“One Law for All”!**

Below are vital parts of our history government has deliberately hidden from the public.

No mention is made of the past Head of Maori Studies at the Auckland University, Dr Ranginui Walker’s statement in the 1986 New Zealand Year Book, page 18, “*The traditions are quite clear on one point, whenever crew (tangata Maori) disembarked there were already tangata whenua (prior*

inhabitants)".Therefore, "tangata Maori" were **not**"tangata whenua"!

No mention is made of the 140 inter-tribal wars between 1806 and 1845. Ref, List of Inter-tribal Wars, by R D Crosby. Inter-tribal wars that halved the tangata Maori population.

No mention is made of Hongi Hika, Ngapuhi smuggling over 800 muskets into New Zealand when returning from England in 1820, then going on the rampage south slaughtering, eating or taking as slaves, thousands of his unarmed fellow countrymen, women and children.

No mention is made of the 13 Ngapuhi chiefs who wrote to the King of England asking him to be their guardian and protector from the southern tribes who were arming themselves for utu/revenge for Hongi Hika's cowardly attacks.

No mention is made of the Taranaki tribes who had been driven from their lands by the Waikato, later traveling to the Chatham Islands where they slaughtered hundreds of the unarmed peace-loving Moriori, then farming them "*like swine*", into virtual extinction.

No mention is made of how the government paid off the Waikato to allow the Taranaki to return to certain areas of their land, but they violated this agreement and the law came into force.

No mention is made of how Britain had to intervene in New Zealand to stop the genocide being created by Hongi Hika in the North Island and Te Rauparaha in the South Island. The 13 Ngapuhi chiefs knew New Zealand was completely out of control by 1831 and asked Britain for help.

No mention is made of Britain sending Resident James Busby to New Zealand in 1833 to try and bring peace between the warring tribes as asked for by the 13 Ngapihi chiefs in 1831.

No mention is made that James Busby could only entice 52 chiefs to sign the Declaration of Independence, then most of the chiefs that signed were at war with each other before the ink had even dried. The Declaration of Independence was a complete failure as the tangata Maori chiefs did not want to or could never form a united government. There was absolutely no political unity between the tribes of New Zealand.

No mention is made of Chief Justice Prendergast ruling in 1877, *"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"*.

No mention is made that New Zealand was under the jurisdiction and dependency of New South Wales, before during and after the Treaty of Waitangi was signed. There was no government in New Zealand until the 3 May 1841.

No mention is made that over 2/3 of New Zealand had been sold by the tangata Maori chiefs before the Treaty of Waitangi was signed with hundreds of Deeds still held in the New South Wales Supreme Court. See, Pre-Treaty Land Sales Registered in New South Wales Supreme Court.

No mention is made that most of this land was returned by the New Zealand government to the chiefs who sold it without compensation to the buyers.

No mention is made that the Treaty of Waitangi only asked the tangata Maori chiefs to give up their kawanatanga/governments to the Queen and in return they would become British Subjects, *"With the same rights as the people of England"*. Article 1 and 3.

No mention is made of a Partnership in the Treaty, just that tangata Maori would have the same rights to *"their"* land, *"their"* settlements and *"their"* property, the same as, *"All the people of New Zealand"*. Article 2.

No mention is made that *"A British Subject cannot be in Partnership with the Crown"* under English Law, therefore, there was no *"Partnership with the Crown"* in the Treaty of Waitangi.

No mention is made that the Treaty of Waitangi was filed away after it had been signed as it had achieved its purpose by the end of 1840. Later being damaged by fire and rats.

No mention is made that the translation of the Tiriti o Waitangi has been so bastardised, a once beautiful language has been destroyed for greed.

No mention is made of the Royal Charter/Letters Patent dated the 16 November 1840 issued by, *"Victoria by the Grace of God"* under, *"The Great Seal of the United Kingdom of Great Britain and Ireland"* separated New Zealand from New South Wales jurisdiction and dependency and made New Zealand into an Independent British Colony on the 3 May 1841 with a Governor and the Constitutional Charter of New Zealand with ***"One Law for All!"***

No mention is made of the First Sitting of the Legislative Council that set up New Zealand's political, legal and justice systems in 1841 under one flag and one law, irrespective of race colour or creed. See page 9.

No mention is made that many of the larger Treaty of Waitangi claims were heard with *"full and final"* settlements in the 1930/40's through our Court system.

No mention is made that claims against the Crown can only be claims against breaches of our legal system, not the Treaty of Waitangi as the Treaty of Waitangi only asked tangata Maori to give up their kawanatanga/governments and in return, *"They would become British Subjects with the same rights as the people of England under English law"*. ***"One Law for All!"***

Tangata Maori were saved by the 13 Ngapuhi chiefs asking

Britain to protect them and be their guardian in 1831. They could see the utu/revenge the southern tribes were planning, now they had muskets, would end in total extinction of their people.

The Government has no right to re-write our history!

Prepared for the One New Zealand Foundation Inc by Ross Baker.
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**Queen Victoria's Royal Charter/Letters
Patent dated the 16 November 1840**



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 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

FIRST SITTING OF THE LEGISLATIVE COUNCIL OF NEW ZEALAND.

(From the New Zealand Government Gazette)

His Excellency the Governor, according to notice, opened the first session of the legislative council of New Zealand on the 24th May 1841. Hon. W. Shortland, Colonial Secretary, Hon. Francis Fisher, Attorney General, Hon. George Cooper, Colonial Treasurer, E. S. Halswell, Esq., one of the three senior justices, being present, received the oaths and took their seats in the Legislative Council accordingly. James Coates, Esq., was appointed Clerk of the Council, and took the oaths of office. His Excellency then delivered the following speech :— Gentlemen—I have availed myself of this early period to assemble the members of the legislative council for the purpose of bringing under consideration certain measures which the altered circumstances of the Colony seem to me urgently to require. At this our first meeting I deem it proper to draw your attention, not only to the Royal Charter, but to the highly, important instructions under the Royal Signet and Sign Manual which accompany it. The Charter, as you are already aware, erects the islands of New Zealand and certain

dependencies into a separate Colony, under the Superintendence of a Governor and Commander-in-Chief. It constitutes a Legislative Council, who are empowered to enact laws and ordinances for the local government of the Colony; it authorises the establishment of Courts of Justice, and the issue of Commissions of the Peace; and, in fact, brings into complete operation British laws throughout the whole Colony of New Zealand. The instructions under the Royal Signet and Sign Manual more particularly define the functions of the Governor and Council, and in a clear and conspicuous manner point out the duties of each. In order that you, gentlemen, may have an opportunity of acquainting yourselves with those particular duties, I have directed the instructions to be laid on the table, and kept open for your perusal in the Council Chamber. I regret that I cannot at the present meeting lay before you the Estimates of the ensuing year, which, although in a forward state of preparation, are in-complete, owing to the non-arrival of directions from the Lords of the Treasury, of which I am advised, and which may be daily expected. I shall lay before you an ordinance for the present re-adoption of all such acts of New South Wales as were in force previous to our separation and are now applicable to this colony. It is not my intention, however, eventually to propose for your adoption the laws of New South Wales, but it will be my endeavour, during the recess, aided by the advice and assistance of the Law Officers of the Crown, to prepare for your consideration such laws as will best provide for the administration of justice, and the contingencies of social life, which may be expected to arise in New Zealand ; therefore the measures now proposed to you must be deemed temporary and contingent, as re-sulting from the present peculiar condition of the Colony. By Command of Her Majesty I will bring under your consideration the repeal of the Land Commission Act, and submit for your adoption an ordinance for the same general purposes, but grant-ing to the Governor of New Zealand the same powers as those heretofore enjoyed by the Governor of New South Wales. I will likewise lay before you Bills for the

regulation and collection of the revenue of Her Majesty's Customs, for establishing courts of quarter sessions and requests, and for the prohibition of distillation. These, gentlemen, are the only subjects for the present on which I shall require you to deliberate. We have, gentlemen, a solemn and important duty to perform ; by our means conflicting interests are to be reconciled ; harmony and tranquility established, and measures are to be adopted for improving the condition and elevating the character of the aboriginal inhabitants. In this salutary work I confidently look for your cordial assistance and co-operation, and I trust under Divine Providence we shall be enabled to accomplish these important objects, and to give effect to Her Majesty's Gracious and benign views for the welfare, prosperity, and civilisation of this Colony. After laying on the table the Indemnity Bill, the Governor adjourned the Council until Thursday, the 27th May 1841.

New Zealand. Anno quarto Victoriae Reginae. No. 1. An Ordinance to declare that the laws of New South Wales, so far as they can be made applicable, shall extend to, and be in force in, Her Majesty's Colony of New Zealand from and subsequent to the date of Her Majesty's Royal Charter and Letters Patent, erecting into a separate Colony the Islands of New Zealand, and to indemnify the Lieutenant Governor and other officers thereof for certain Acts done and performed between the date of the said Royal Charter and Letters Patent and the day of passing this ordinance. Whereas by an Act of the Governor and Legislative Council of New South Wales, made and passed in the third year of the reign of Her present Majesty, entitled " An Act to declare that the Laws of New South Wales extend to Her Majesty's Dominions in the Islands of New Zealand, and to apply the same, as far as applicable, in the administration of justice therein, and to indemnify certain Officers for Acts already done." After reciting that Her Majesty had been pleased to annex Her Majesty's Dominions of New Zealand to the Government of New South Wales, it is enacted that all Laws and

Acts or Ordinances of the Governor and Legislative Council of New South Wales, which then were, or thereafter might be, in force within the said Colony should extend to and be applied in the administration of justice within Her Majesty's Dominions in the said Islands of New Zealand, so far as they could be applied therein. And whereas, under and by virtue of an Act of Parliament made and passed in the fourth year of Her said Majesty's Reign, entitled, " An Act to continue until the thirty-first day of December, one thousand eight hundred and forty-one, and to the end of the then next ensuing Session of Parliament, the Provisions of any 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 relative thereto," Her Majesty did, by Her Royal Charter and Letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland, bearing date at Westminster the sixteenth day of November, one thousand eight hundred and forty, erect into a separate Colony the Islands of New Zealand, theretofore comprised within or dependencies of the Colony of New South Wales, with all other islands lying between certain latitude and longitude therein mentioned. And did further provide that from thenceforth the said islands should be known and designated as the "Colony of New Zealand." And whereas, by Her said Royal Charter and Letters Patent, Her Majesty did constitute a Legislative Council for the said Colony of New Zealand, with full power and authority to make and ordain all such Laws and Ordinances as might be required for the peace, order, and good Government of the said Colony. And whereas it is expedient, until all such Laws and Ordinances can be well considered and ordained, that all such Laws, Acts, and Ordinances of New South Wales as are applicable to the Colony of New Zealand should continue to be acted upon and be applied therein. And, in order to remove any doubt which may exist whether the said Laws, Acts, or Ordinances of the said Governor and Legislative Council of New South Wales are and continue in force within the said Colony of New Zealand from and subsequent to the date and

proclamation of such Her Majesty's Royal Charter and Letters Patent.

1. Be it therefore enacted and ordained by his Excellency the Governor in and over the Colony of New Zealand, with the advice of the Legislative Council thereof, that so much of all and every of the Laws, Acts, and Ordinances heretofore made by the Governor and Legislative Council of New South Wales, and now in force therein, as have already been, and can hereafter during the continuance of this Ordinance be, applied within the said Colony of New Zealand shall be, and the same are hereby, adopted and declared and directed to be extended to and applied in the Administration of Justice in the said Colony of New Zealand, in the like manner as all other the Laws of England, and as if the same had been repeated and re-enacted in this Ordinance. And whereas doubts may arise as to the validity of Acts done and performed in the said Colony of New Zealand since the date of her said Majesty's Royal Charter and Letters Patent by his Excellency as the Lieutenant Governor of the same, and by Justices of the Peace, Officers of the Customs, Constables, and other officers, under and by virtue of the said in part recited Act of the Governor and Legislative Council of New South Wales ; for the removal
2. Be it therefore further enacted that the said Lieutenant Governor of the Colony of New Zealand, and all Justices of the Peace, Officers of the Customs, Constables, and other officers, and all persons whomsoever therein who may have acted under and by virtue of any commission or appointment of her Majesty, or of the governor of New South Wales, or of the said lieutenant governor of the said colony of New Zealand, or under any orders and directions of the same Lieutenant Governor, or of his Excellency the Governor, since his assuming the Government of the said Colony of New Zealand, previous and up to the passing of this Ordinance, shall be, and

they, and each and every one of them, are hereby indemnified against, and freed and discharged from, all damages, penalties, and forfeitures to which they, or any one of them, may have heretofore, or may nowotherwise be liable for any act so done or performed.

3. And be it further enacted that no act done or performed by any such officer or other person aforesaid, shall be questioned or avoided in any Court of Law, by reason of any supposed want of power and authority, and that all such acts so done and performed shall be, and they are declared to be, as valid and effectual in Law, to all intents and purposes, as if each of such officers and persons aforesaid had done and performed such acts within and under, or by virtue of, any Law or Statute of the Parliament of Great Britain and Ireland.

And be it further enacted and ordained that in all or any of the said Acts of the Governor and Legislative Council of New South Wales, which shall under and by virtue of this ordinance be brought into operation, and extended to and applied to the said Colony of New Zealand, whenever the words " Governor, with the advice of the Executive Council, Governor, Justice, or Justices of the Peace, or Government Gazette, of New South Wales," are used in such Act or Acts, the same words shall be construed to mean, and shall include and extend to " the Governor, with the advice of the Executive Council of New Zealand," or "Governor for the time being," or " all or any Justices or Justice of the Peace, and to the Government Gazette of the said Colony of New Zealand;" and that all words or expressions referring, and having relation, to New South Wales shall be, and the same are hereby directed to be, applied and construed to extend to the said Colony of New Zealand. WILLIAM HOBSON, Governor. Passed the legislative council this 3rd day of June, in the year of our Lord one thousand eight hundred and forty-one.

JAMES COATES, Clerk of Councils

Charter of 1840. Constitution of the Colony of New Zealand into a separate colony 16 November 1840



Supplied by the Chief Archivist, Archives New Zealand