

Constitution Aotearoa

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“red”

About

“New Zealand’s basic rules of how we govern ourselves are difficult to find, hard to understand, and too easy to change. We need a modern constitution to fix that”, Sir Geoffrey Palmer and Andrew Butler.

Comment. We don’t need lawyers such as Geoffrey Palmer who cannot make up his mind and Andrew Butler, an Iris lawyer to write a new Constitution. It’s no Irish joke, it’s for real! Our lawyers have done enough damage already to our country and race relations so they must not be allowed to write our Constitution!

The book

A constitution provides the system of fundamental principles under which a nation is governed. It sets out the government’s powers and limits and how government institutions work. **Our first Constitution Queen Victoria’s Royal Charter/Letters Patent dated the 16 November 1840 did exactly this but is completely ignored by our lawyers, governments, Maori and Te Papa that misleads its 1.5 million visitors per year!**

New Zealand’s current constitution is formed by a jumble of statutes and is unclear and inaccessible to most citizens. It can be overridden easily by Parliament and is subject to political whims. **Not only by Parliament, the Waitangi Tribunal continually overrides it.**

A Constitution for Aotearoa New Zealand, by former Prime Minister Sir Geoffrey Palmer and constitutional lawyer Dr Andrew Butler, proposes to change that. **One man that could not make up his mind and the other, an Irishman that has shown he does not know our true history**

The book proposes a new constitution that is easy to understand, reflects New Zealand's identity and nationhood, protects rights and liberties, and prevents governments from abusing power. **Because the Government will have all the power with Maori, similar to the Constitution of Bolivia, except Bolivians are the indigenous people, tangata Maori are not!**

It sets out the terms of a codified constitution that is accessible and clear and reflects the reality of modern New Zealand. **As seen by Geoffrey Palmer and Andrew Butler, both lawyers trying to squeeze the last dollar from you and me for their lawyer mates!**

It aims to stimulate debate about New Zealand's constitutional arrangements. Our goal is for ordinary New Zealanders to be able to own their constitution, and for that constitution to reflect the realities of our modern nation. **By basing it on the Tiriti o Waitangi, a document that had nothing to do with our Constitution or setting up our Nation, how ridiculous is that!**

A Constitution for Aotearoa New Zealand makes the case for change. **By one man that can't make up his mind and some newcomer! They don't even know our country is called "New Zealand" and has been for over 200 years. Geoffrey and Andrew, Aotearoa is a fiction!**

Sir Geoffrey Palmer was the man that allowed the Waitangi Tribunal to hear alleged Maori claims dating back to 1840, many previously heard and "fully and finally" settled or rejected. He also instigated the Tiriti o Waitangi was a "Partnership between Maori and the Crown" and dreamt up and

put into law "The Five Principle for Crown Action on the Treaty of Waitangi" that gave one small group of New Zealand Citizens with a minute trace of Maori ancestry special rights, privileges and advantages over their fellow New Zealand Citizens. At the time Palmer thought, "*This a rather elegant legal solution*", but he later admitted, "*I was wrong*"!

It 1990 Palmer woke up to the terrible mistakes he had made and tried to put it right on the ABC TV programme, Four Corners, "Trick or Treaty" but he was too late the horse had bolted and he had no other option that follow the horse and bolt from politics before he started a civil war threatened by the Maori leaders and supported by the Governor General, Rev Sir Paul Reeves if they did not get their own way. Palmer then became involved in advising Maori on Treaty claims. Has this man no conscience?

Sir Geoffrey Palmer did give 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*", but Parliament was too afraid to act after the threat by the Governor General and Maori Leader of violence and a possible civil war if Maori did not get their own way.

He is now having another go at separating the people of New Zealand with a new Constitution hoping the people would have forgotten the terrible mess he made in the 1980's, but the One New Zealand Foundation Inc. never forgets and we have the documents and videos from those involved at the time to prove it. See NZ Herald article below as an example.

The authors

Sir Geoffrey Palmer



Sir Geoffrey Palmer QC was a law professor in the United States and New Zealand before entering New Zealand politics as the MP for Christchurch Central in 1979.

Comment, "The factor that shaped my intellectual approach to Maori issues in New Zealand was my experience 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 researched 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 3 decades later, billions of dollars and hundreds of alleged claims still to be settled with no end in sight, how wrong he was then and how wrong he is now!

In Parliament he held the offices of Attorney-General, Minister of Justice, Leader of the House, Minister for the Environment, Deputy Prime Minister and Prime Minister. *Comment. When Attorney General he instigated the "Partnership" and the "Principles" into our legislation until when Prime Minister his clash with Governor General the Rev Sir Paul Reeve on the ABC Programme Four Corners when he stated, "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". He also warned against, "making literal interpretations from the Treaty", stating, "The meaning of the Treaty in terms of its operational consequences now, was far from clear. In fact, it's a documents that is so vague that that is its primary problem". Now he wants to base our constitution on the Tiriti o Waitangi! Is he for real?*

On leaving politics in 1990 he was a law professor at the University of Iowa and the Victoria University of Wellington. *Comment. Did he leave or was he pushed for his comments on the ABC's TV Four Corners programme causing the threat of violence or a civil war by the Governor General and the Maori Leaders with his about face on the ABC?*

In 1994 he became a foundation partner of Chen & Palmer Public Law Specialists where he remained until 2005 when he was appointed President of the Law Commission, a position he occupied until 2010. During that period he also chaired the Legislation Advisory Committee. *Comment. When the ONZF ask him to act for it in 1995 he replied, "I regret this firm cannot accept the instructions contained in your letter. We have a professional conflict of interest since we advise a group of Maori". He made the rules now he was reaping the rewards!*

He has appeared extensively in the superior courts including the Privy Council. He is a member of the Her Majesty's Privy Council, was made a Knight Commander of the Order of St Michael and St George in 1991 and was made an honorary companion to the Order of Australia the same year. He was made a member of the Global 500 Roll of Honour by the United Nations Environment Programme. He holds four honorary doctorates. He was elected a member of the American Law Institute, a Member of the American Association of International Law and a Fellow of the World Academy of Arts and Sciences. He is a member of the New Zealand Law Society Rule of Law Committee. *Comment. His views of Her Majesty's Privy Council, "I was utterly opposed to the Privy Council having anything to say at all about what the Treaty meant in New Zealand". He was a member of Her Majesty's Privy Council but he had no faith in it!*

In 2010 and 2011 he chaired the Panel of Inquiry on the 31 May 2010 Flotilla Incident for the United Nations in New York that reported to the Secretary-General. For eight years he was New Zealand's Commissioner to the International Whaling

Commission. Comment. He didn't do much for the whales, they are still being slaughtered by the Japanese!

Sir Geoffrey is a Distinguished Fellow of the New Zealand Centre for Public Law and the Law Faculty at the Victoria University of Wellington. He has an extensive list of publications in legal periodicals and is the author or co-author of 12 books, the latest of which is *Reform – a Memoir* published by the Victoria University Press in November 2013. Comment. But not one mention of Queen Victoria's Royal Charter/Letters Patent dated the 16 November 1840 that separated New Zealand from New South Wales on the 3 May 1841 and made New Zealand into an independent British Colony with its own Governor and Constitution to form government to make laws with courts and judges to enforced those laws under one flag, irrespective of race, colour and creed and he's now writing a new Constitution! OMG!

Andrew Butler



Andrew was born in Ireland and has lived in New Zealand since 1991. Over the course of his career he has been a legal academic at Victoria University of Wellington, a Crown Counsel in the Human Rights team at the Crown Law Office, and most recently a partner at the Wellington office of the law firm Russell McVeagh. He has extensive experience in human rights and administrative law cases. High profile cases have included acting for the Crown on the Ahmed Zaoui litigation, and representing Lecretia Seales in her case seeking to clarify the law on medical aid for the dying. Comment. As a Human Rights Lawyer he should have realised the Human Rights given to tangata Maori by Britain making them British Subjects with the same rights as

the people of England. A race of people on the verge of extinction by their own hand rescued by the world's leading super power at the time. He also seems to have no idea of how New Zealand became a British Colony with its own Governor, Constitution and government on the 3 May 1840. Without this knowledge, how can he write a Constitution for New Zealand? Imagine a Constitution for New Zealand written by an Irish lawyer! Unfortunately, it's no Irish joke, it's for real!

He has published extensively in New Zealand and overseas on a range of topics, including as co-author of the leading text on the New Zealand Bill of Rights, *The New Zealand Bill of Rights Act 1990: a commentary* (2nd ed, LexisNexis Butterworths, Wellington, 2015). Comment. It's a pity he had not spent more time researching New Zealand's true history before joining Geoffrey Palmer to write a new Constitution for New Zealand. Andrew, we already have a perfectly good Constitution and don't need lawyer's tampering with it.



A Constitution for Aotearoa New Zealand is supported by a grant from the New Zealand Law Foundation.

Comment. The lawyers have already made a fortune out of Maori by representing them in their alleged claims, now they want to steal the last dollar from you and me supporting a new Constitution. No way!

The rest paid by the taxpayer no doubt!

All our Constitution needs to say is:-

We are one people under one flag and one law irrespective of

race colour and creed. In other words, "*He iwi tahi tatou – We are now one people*", the words the chiefs agreed to when they shook Lt. Governor Hobsons's hand after they had signed the Tiriti o Waitangi at Waitangi on the 6 February 1840 followed by three hearty cheers from those gathered.

Don't let our self-serving lawyers interfere with a document that belong to the people of New Zealand to help line their pockets. They have stripped Maori for millions of dollars to help fight their alleged claims that have cost the people of New Zealand billions of dollars in assets and money and now they want to steal our last dollar with a new Constitution based on a document that is being continually distorted to meet the cause!

How can these two ~~clown's~~ lawyers expect to write a new Constitution when they seem to have no knowledge of Queen Victoria's Royal Charter, our true Founding Document and first Constitution that made New Zealand into an independent British Colony under one flag and one law, irrespective of race colour or creed?

We do not need a new Constitution, there is nothing wrong with the one Queen Victoria gave us on the 16 November 1840 with a few tweaks as time goes by. Definitely not one by lawyers to benefit lawyers, especially one lawyer that cannot make up his mind and the other has no idea of our documented history held at Archive New Zealand. Just a pack of parasites (see below), far more interested in lining their pockets than the people they serve or our country as a whole.

Say "No to a new Constitution" and honour the one we already have and tell Palmer and Butler to keep their greedy little fingers away from our Constitution!

Sir Paul and Govt differ over treaty on screen

NZPA

Sydney

The clashing views of the Governor-General, the Most Rev 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 hinting 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 Noah" and said it was a binding document.

"Many Paketa 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 injustice 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 "scares the pants off"

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

The head of the Ngaitahu 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."

Mr 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... is, I'm afraid, idle," 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 eschatology 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 Mahuta, 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."

The One New Zealand Foundation Inc. has a copy of DVD and transcript of this disgraceful clash between the Governor General, the Rev Sir Paul Reeves and the Prime Minister Palmer screened on the ABC TV programme Four Corners in March 1990 the called "Trick or Treaty". Prime Minister Geoffrey Palmer had woken up to his terrible mistakes, but our Governor General of Maori descent and his Maori mates would have no

part of it, even threatening violence and or a civil war if they did not get their own way!

Sealord cash 'sponged up by parasites'

By BERNARD ORSMAN
political staff

The Associate Treasurer and New Zealand First Maori MP, Mr Delamere, has laid into lawyers with a stinging attack on their ethics and greed at the expense of Maori.

Mr Delamere has described lawyers, including some Maori lawyers, as "legal parasites who have been able to sponge up the potential benefits Maori may have been able to get from the Sealord settlement."

The former Treaty of Waitangi negotiator said he knew of one lawyer who was charging for 36 hours a day.

"When I went to school I was taught there were 24 hours in a day," he said yesterday.

Some tribes, Mr Delamere said, were paying lawyers over \$1 million for advice for Treaty of Waitangi claims and "to date are no further down the road than when they started."

"The law fraternity have benefited enormously from treaty claims and Maori have seen precious little."

"The great bulk of them haven't been worth a single dollar. They



John Delamere

have ridden on the back of ... ignorance by many Maori claimants of the process and at times misrepresented their own ability. They take their money and run and don't achieve anything.

"Most of the tribes who have made progress have done it notwithstanding the inadequacy of some of the legal representation."

However, Mr Delamere said not all lawyers involved in treaty claims were parasites, saying

some did "very good work for very fair fees." Mr Delamere also laid part of the blame for costly legal bills at the hands of Government.

"Treaty settlement claims are not a matter of the law but what the Government is willing to do."

He said that when he was negotiating the Whakatohea claim last year, his tribe spent \$10,000 in legal bills before encountering the Wellington bureaucracy in the final weeks. Then, it ran up a further bill for \$100,000.

"Some of that cost was going to happen anyway, but we expended much more than we really needed to because of the attitude of the crown officials doing their absolute damndest to try and deny Whakatohea any sort of settlement redress whatsoever."

Mr Delamere said that with 15 Maori MPs in Parliament attitudes to treaty claims could change. He also believed it was up to Maori MPs and Parliament, not lawyers, to resolve the Sealord wrangle.

The Privy Council in London last week quashed a Court of Appeal decision that allowed urban Maori with no tribal ties to benefit from fisheries allocation.

Maori First M P, Mr Delamere has described lawyers as "legal" parasites who have been able to sponge up the potential benefits Maori may have been able to get from settlements. Don't let these "parasites" sponge from the rest of us with a new Constitution written by them!

There is nothing wrong with our Constitution if governments would honour it, but with the parasite lawyers filling their

pockets and Maori threatening violence and or a civil war if they don't get their own way and our politicians quite happy to sit on the fence and let it happen financed with taxpayer's funds.

Say "No to a new Constitution" and honour the one we already have and tell Palmer and Butler to keep their greedy little fingers away from our Constitution!

This article has been compiled from information we have on file by those involved at the time. For further information, please contact, onzfoundation.co.nz. 6/2/2017.

When are Maori going to stand on their own two feet

Maori Chieftain speaks out.



It may surprise many New Zealanders, but a growing number of Maori are fed up with the Waitangi Tribunal, and the entire Treaty gravy train. There is a stereotype of Maori collecting millions of dollars in settlement money and living the easy life. The reality is very different. Here are a few facts:

David Rankin, Ngapuhi kaumatua.

Direct descendant of Hone Heke.

A part-Maori with mana.

1. The Tribunal makes up history as it goes along. A growing number of New Zealand historians are pointing this out, although most of them are labelled as racist for doing so. Facts are omitted in Tribunal reports, and evidence is shaped in some cases to fit predetermined outcomes. As an example, I gave evidence at a Tribunal hearing about my ancestor Hone Heke, the first chief to sign the Treaty. However, because the oral history of our whanau did not fit with the Tribunal's narrative, my testimony was excluded. Yet, several radicals with little knowledge of our history had their testimony included because it fitted with the separatist agenda. This leads to point 2.
2. In the 1970s, many of us hoped that the Tribunal would be an organisation that would achieve reconciliation. It has turned out to be a body that is bringing in apartheid to New Zealand. This sounds dramatic, until you see how it advocates for race-based access to certain areas, and race-based management policies for Crown land.
3. Treaty settlements make tribal corporations rich, with the help of favourable tax status and often little or no rates to pay. So with these advantages its pretty easy to become super profitable. But do you think the average Maori sees any benefit from this? None at all. I have been asked several times to be on trust boards and have been offered large sums of money to do so. I refuse. History will judge the kupapa (traitors) who have abandoned our people for money.
4. The tribunal is a bully. Go against it, and you will be

labelled a racist or worse. Yet, who does it help? Apart from a few elite Maori who have become millionaires from the process, there is no benefit to Maori overall. Drive through Huntly or anywhere in Tuhoe and you won't find any evidence of these multi hundred million dollar settlements.

Let's be clear. The Tribunal exists to make lawyers, and a few elite Maori very rich. It has deprived our people from their birthright and divided and destroyed many of our communities. The sooner it is shut down the better.

David Hone Heke Rankin

Te Matarahurahu hapu

Ngapuhi

And Jim Gray agrees, "When are Maori going to stand on their own two feet"

Greetings people,

This arrived in my Mailbox and I would have to agree 120%. I have experienced on the same number of occasions exactly the same type of treatment whereby correspondence and questions are not published because the responses may not be acceptable to the masses. Despite the fact that Diversity being the core of good Governance I don't get appointed to any Boards etc whereby one can disagree or debate the issues. Exactly the same as with the Maori Kiwifruit Growers Forum. This whole thing amused me. Despite a record year none of the Maori Growers were asked put their hands in their pockets to fund the meetings and formation. As usual they just held out their hands and as usual the mana came from heaven.

I have asked on a number of occasions the purpose of this Forum and to date have not received an answer. However what I do hear in the background is what I would determine as being

the word Separatism and Job creation Some seven people were appointed to the Board who inevitably will all expect to get paid and will actually contribute little if anything to the Industry. I expected the Waitangi Settlements to provide some relief from the burden of taxation, Housing, Jobs and relief of poverty but this has not happened despite all of the supplementary handouts as well. But I know of others, particularly lawyers who have done very well out of the settlements.

David Rankin is exactly right and when are Maori going to stand on their own two feet? Kei hea te Mana?

Heoi Ano

Jim Gray,

Te Arawa, Tainui, Mataatua.

Putting the Record Straight

From: [Ross Baker](#)

Sent: Thursday, January 26, 2017 4:35 PM

To: [Gregory Baughen \[DPMC\]](#)

Cc: [B English \(MIN\)](#) ; onzf@bigpond.com.au ; [Colourblind State Discussion Group](#) ; [1law4all](#) ; casey@hobsonspledge.nz

Subject: Re: Governor General makes errors in her Swearing-in-Speech.

Mr Gregory Baughen [DPMC],

Official Secretary to the Governor-General of New Zealand,
Wellington,
New Zealand.

Dear Sir,

Hopefully by now Governor General Dame Patsy Reddy has had time to read the attached article we sent to her and she now understands the “errors” she made in her Swearing-in-Speech on the 28 September 2016 where she stated, *“That in exercising her functions as Governor-General she would respect and honour the unique partnership between the Crown and Māori, as enshrined in our founding document, Tē Tiriti o Waitangi”* .

The Tiriti o Waitangi only gave sovereignty of all the islands of New Zealand to Britain, made tangata Maori into British Subjects; and place New Zealand on a temporary basis under the laws and dependency of New South Wales.

As Her Majesty’s Representative, Dame Patsy must understand a British Subject cannot be in “partnership” with the Crown or the Monarchy.

The Tiriti o Waitangi was only an agreement between Queen Victoria and the tangata Maori chiefs that placed New Zealand on a temporary basis under the laws and dependency of New South Wales from the 21 May 1840 until Queen Victoria’s Royal Charter/Letters Patent dated the 16 November 1840 made New Zealand into an independent British Colony with its own Governor and Constitution to form a political, legislative and justice system in New Zealand on the 3 May 1841.

As Her Majesty’s Representative, Dame Patsy must understand that Queen Victoria’s Royal Charter/Letters Patent was New Zealand true Founding Document and first Constitution.

For far too long Governor Generals have been granting Royal Assents based on false information, even getting into a clash on the ABC Four Corner's Programme, "Trick or Treaty" with Prime Minister Geoffrey Palmer and Attorney General, the late David Lange who stated, "*The Treaty was, far from clear now, in fact, it is so vague and that is its primary problem*" and "*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, we ask that Governor General, Dame Patsy Redding puts the record straight by making a public statement of her "errors" in her Swearing-in-Speech and in future, grants her Royal Assents based on Fact not Fiction!

Yours sincerely,

Ross Baker.

Researcher, One New Zealand Foundation Inc.

1. Prime Minister, Hon Bill English.

Other interested Parties.

Will she be, "Just another puppet on a string"?

Governor General, Dame Patsy Reddy.

Will she be, “Just another puppet on a string”?

By Ross Baker, Researcher, One New Zealand Foundation Inc.
10/12/2016 (C)



In our new Governor General Dame Patsy Reddy's Swearing-in-Speech on the 28 September 2016 she stated, that in exercising her functions as Governor-General she would *“respect and honour the unique partnership between the Crown and Māori, as enshrined in our founding document, Tē Tiriti o Waitangi”*. See email from her secretary page 8.

From this email, Dame Patsy completely ignores or has been misinformed of the true documented history of New Zealand held at Archives New Zealand in Wellington and will continue to grant Royal Assents to Bills based on her modern views of New Zealand's history of false translations and interpretations of the Tiriti o Waitangi. See “Final Draft” of the Treaty of Waitangi dated the 4 February 1840, page 9. “Te Tiriti o Waitangi” dated the 6 February 1840, page 10 The “Official Translation” by the Native Department in 1869 page 11. Professor Margaret Mutu's 2012 “Fraudulent Translation” to benefit part-Maori, page 11. There is only one Treaty and that is, **“Te Tiriti o Waitangi dated the 6 February 1840”**.

When Hobson became ill, this was the instruction he gave to those collecting 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”*. Lt. Governor Hobson

Queen Victoria and/or Great Britain would never have formed a “partnership” with a primitive race of people without any form of united government or written language and still practicing cannibalism, and there is absolutely nothing in the Tiriti o Waitangi that gives that impression. Copy of Official translation by the Native Department for the Legislative Council in 1869, page 11.

From the chiefs speeches on the 5 February 1840 there was no mention of a “partnership” between the Crown and Maori. They fully understood that if they signed the Tiriti o Waitangi, Lt Governor Hobson would be up, up, up and the chiefs, down, down, down. See page 5.

The “partnership” was endorsed by the 1987 Court of Appeal between the New Zealand Maori Council and the Attorney General (CA 54/87) by using an “unofficial” translation of the Tiriti o Waitangi by Professor Sir Hugh Kawhura who admitted was an, *“Attempt at a reconstruction of the literal translation of the Maori text”*. This was an unofficial, fraudulent *“reconstruction”* by Kawhura to benefit part-Maori only which was wrongly accepted by the Crown and the Courts for the purpose of this case. Prime Minister Geoffrey Palmer and Attorney General David Lange both warned against making literal translations of the Tiriti o Waitangi during their clash with Governor General, Rev. Sir Paul Reeves. See page 7.

Dame Patsy also stated the Tiriti o Waitangi was New Zealand’s “founding document” but the Tiriti only gave sovereignty of New Zealand to Great Britain on the 21 May 1840 and temporary placed New Zealand and its people under the laws and dependency of New South Wales for six months until Britain decided on New Zealand’s fate. Proclamations were published in the London Gazette on the 2 October 1840. By then the Tiriti o Waitangi had served its purpose and was filed away in an old shed where it was later damaged by rats and by fire.

Once Britain had obtained sovereignty over all the islands of New Zealand, Queen Victoria's issued Her Royal Charter/Letters Patent dated the 16 November 1840, which made New Zealand into an independent British Colony. From the copies of the two documents, the Tiriti o Waitangi could hardly be, **"New Zealand's Founding Document"**! See page 4.

Queen Victoria's Royal Charter/Letters Patent separated New Zealand from New South Wales dependency on the 3 May 1841 and "founded" New Zealand and its islands as an independent British Colony with its own Governor and Constitution to form a government to make laws with courts and judges to enforce those laws under one flag and one law and irrespective of race, colour or creed. There was also no mention of a "partnership between the Crown and Maori" in the Royal Charter as through the Tiriti o Waitangi, Maori had become British Subjects and **British Subjects cannot be in "partnership" with their Monarch or the Crown.** See page 6.

Queen Victoria's Royal Charter/Letters Patent has been completely ignored by New Zealand's Governor Generals when they grant Royal Assent to new legislation. In fact, the Royal Charter is not mentioned in any legislation or Act of Parliament. Most of our Acts of Parliament since the 1975 Treaty of Waitangi Act have been based on the Treaty of Waitangi, the "partnership" and the Fourth Labour Government's "dreamt up" Five Principles for Crown Action on the Treaty of Waitangi, which has been continue ever since by government.

To allow this to happen, translations of the Tiriti o Waitangi have been deliberately distorted and misquoted to such an extent that they bear little, if any resemblance to the document signed in 1840 by Lt. Governor Hobson and over 500 tangata Maori chiefs. See Mutu's translation page 12.

Dame Patsy Reddy must be advised not to grant Royal Assents to legislation based on the Tiriti o Waitangi or the "partnership" as the Tiriti o Waitangi was not New Zealand's

“founding document” and there was no “partnership” between tangata Maori and the Crown in the Tiriti o Waitangi.

To do otherwise is to mislead the People of New Zealand of their true history and rights and to insult the intelligence of Her Majesty, Queen Victoria and Great Britain. **Under British law, Queen Victoria or Great Britain could never have formed a “partnership” with tangata Maori in 1840.**

Royal Assent. If a Bill passes its third reading, it is passed by the Clerk of the House of Representatives to the Governor-General, who will (assuming constitutional conventions are followed) grant a Royal Assent as “*a matter of course*” and the Bill become law/an Act of Parliament. Some constitutional lawyers, such as Professor Philip Joseph believe the Governor-General **does** retain the power to refuse to grant a Royal Assent, especially if the Bill is based on false information or apartheid legislation. **A Royal Assent should be the final check on bad legislation!**

Over the last 45 years, radical Maori have hi-jacked our weak Politicians and have forced governments to give Maori special rights in our legislation over their fellow New Zealand Citizens with Governor Generals, in some cases with a vested interest granting Royal Assents to this apartheid legislation! See “Clash between Governor General and Government” page 7.

Refusal of a Royal Assent has never occurred under any circumstances in New Zealand, once a Royal Assent has been granted, the Bill then becomes law, **but it is time a stop was put to this!**

The One New Zealand Foundation Inc. has written to Dame Patsy to inform her of New Zealand’s true history but through her secretary, she refuses to change her views. Could this be to keep her job? See page 8.

In March 1990 this was brought to the attention of the Governor General, the Most Rev Sir Paul Reeves of part-Maori

descent by the Prime Minister, Geoffrey Palmer and Attorney General, the late David Lange that was aired on an Australian Broadcasting Corporation's Four Corner's TV programme. Geoffrey Palmer stating, *"The Treaty was, far from clear now, in fact, it is so vague and that is its primary problem"* and David Lange stating, *"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"*, but the Governor General in 1990 refused to accept this and hinted he would join Maori leaders; *"That failure to address Maori "injustices" under the treaty would lead to violence or such thoughts as civil war.* Not the comment expected from Her Majesty's Representative in New Zealand but our Governor Generals have continued down this path of racially based laws ever since. Copy of New Zealand Herald article page 7.

Both Geoffrey Palmer and David Lange either resigned or were pushed from front line politics soon after this programme was aired on TV without fixing the terrible mess they had made, but Palmer our leading constitutional lawyer, did give 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"*, but failed to act.

Governments have also failed to take Geoffrey Palmer's advice fearing violence and/or a civil war, as hinted by our past Governor General, the Rev Sir Paul Reeves and Maori leaders if Maori did **not** have their "alleged injustices" settled, which in most cases had already been settled in the 1940's and in some cases, many times over.

While refusal of a Royal Assent has never occurred under any circumstances in New Zealand, our new Governor General, Dame Patsy must honoured, respected and obeyed Queen Victoria's Royal Charter/Letters Patent dated the 16 November 1840 and refuse racial legislation based on the Tiriti o Waitangi being

a “partnership” between the Crown and Maori.

Past Governor Generals, in some cases with a vested interest, have granted Royal Assents to apartheid Bills based on race and a distorted and misquoted Tiriti o Waitangi. This was never the intention of Queen Victoria or the 500 tangata Maori chiefs who signed the Tiriti o Waitangi in 1840.

The People of New Zealand have been lied to for far too long, they have a right to know the Tiriti o Waitangi has been distorted and misquoted to allow it to be referred to as, “*A partnership between the Crown and Maori and New Zealand’s founding Document*”. Governor General, Dame Pasty must honour, respect and obey Queen Victoria’s Royal Charter/Letters Patent dated the 16 November 1840 and not continue to grant Royal Assents to Bills based on race, “***as a matter of course***”!

CONCLUSION

- From the Chiefs speeches they knew exactly what the Treaty meant. See page 5.

- Both Palmer and Lange warned against making literal interpretations from the Treaty in the 1990 ABC’s Four Corners Programme, but they allowed it to happen. See page 7

- The Treaty consists of the Preamble, the 3 Articles/Laws and the Consent. Without these 5 parts it is impossible to interpret or understand the Treaty. See page 9, 10 and 11.

- If the Treaty is to be understood, then the whole document must be read, including the Preamble which

clarifies any ambiguity in the articles/laws as in any document. This is the reason the Preamble is omitted from most copies of the Treaty over the last 30 years. If the Preamble is used, then the Treaty cannot be distorted or misinterpreted, unless it is distorted.

- Once the Treaty was signed, the chiefs did not complain about its meaning, only that when reality set in, they realised they could no longer continue with their unlawful, savage ways.

- Most modern historians pick one word or phrase and try to dissect it without the whole document. The tangata Maori chiefs understood it and I understand it because we both used the whole document, not just those bits to suit the cause as is happening today.

- The Treaty was only to give Great Britain sovereignty/control over all the island of New Zealand which has never been disputed internationally. Once sovereignty was achieved over all the islands of New Zealand the Treaty had served its purpose and was filed away in an old shed where it was later damaged by fire and rats.

- New Zealand was temporary place under the laws and dependency of New South Wales for 6 months until Britain decided on New Zealand fate.

- Queen Victoria's Royal Charter/Letters Patent dated the

16 November 1840 “founded” New Zealand as a British Colony on the 3 May 1841 with a Governor and Constitution to give a political, legal and justice system within New Zealand.

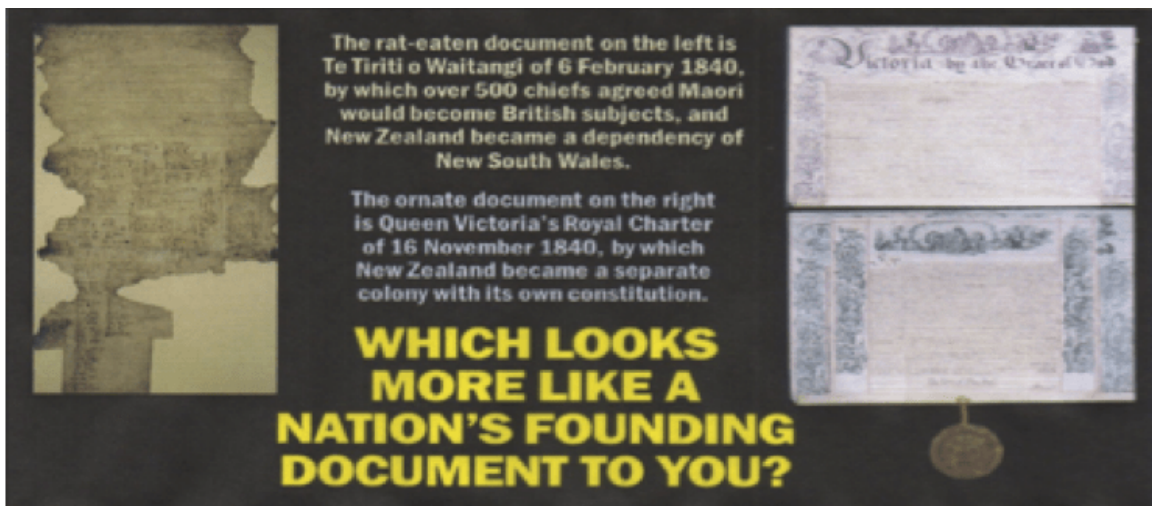
- In 1970 the Treaty was dragged out of storage with the catch cry, “*The Treaty is a fraud*” but when this did not work, the Treaty’s translation was distorted and the new catch cry was, “*Honour the Treaty*”. This hit a cord with our weak politicians and since then they have given in to Maori’s demands at the expense of every New Zealand Citizen. New Zealanders have lost land, assets and money based on the fraudulent translations of the Treaty of Waitangi.
- It must be remembered the Treaty place New Zealand under the laws and dependency of New South Wales and only dealt with a primitive race of people without a united government, written language and still practicing cannibalism, while the Royal Charter “founded” New Zealand as a British Colony on the world stage, **it was a Document of International Importance!**
- The Tiriti o Waitangi only place New Zealand and its people under the laws and dependency of New South Wales while the Royal Charter, our true “Founding Document” and first “Constitution” made New Zealand into a British Colony under one flag and one law, irrespective of race, colour or creed.
- There was no “partnership” in the Tiriti o Waitangi and the only “principle” was, “**He iwi tahi tatou – We are now one people**”. Governor Hobson’s pledge as he shook each chief’s hand after they had signed the Treaty at

Waitangi on the 6 February 1840 at Waitangi.

Tiriti o Waitangi V Queen Victoria's Royal Charter

On the right is Queen Victoria's pristine Royal Charter dated the 16 November 1840 with the Royal Seal attached. New Zealand's true Founding Document and first Constitution. A document all New Zealanders should be extremely proud to display! See page 6.

On the left is the Tiriti o Waitangi signed at Waitangi on the 6th February 1840 which was filed away in an old shed after Britain gained sovereignty over all the islands of New Zealand and was later damaged by rats and by fire. **With thanks to John Ansell.**



The Chief's Speeches on the 5 February 1840



"O Governor! sit. I, Tamati Waka, say to thee, sit. Do not thou go away from us; remain for us—a father, a judge, a peacemaker ... Remain; do not go away. Do not thou listen to what Ngapuhi say. Stay thou, our friend, our father, our Governor."

"Sit, Governor, sit. If thou shouldst return, we Natives are gone, utterly gone, nothinged, extinct ... Remain, Governor, a father for us. If thou goest away, what then? ... For then the French people or the rum-sellers will have us Natives ... But we Natives are children—yes, mere children ... Sit, I say, Governor, sit! a father, a Governor for us."

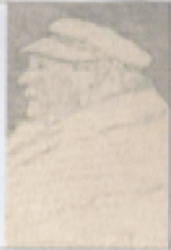


"We, we only are the chiefs, rulers. We will not be ruled over. What! thou, a foreigner, up, and I down! Thou high, and I, Tareha, the great chief of the Ngapuhi tribes, low! No, no; never, never ... Yes, I say we are the chiefs. If all were to be alike, all equal in rank with thee – but thou, the Governor up high – up, up, as this tall paddle, and I down, under, beneath! No, no, no. I will never say, 'Yes, stay.'"



"If thou stayest as Governor, then perhaps Te Kemara will be judged and condemned. Yes indeed, and more than that – even hung by the neck. No no no, I shall never say yes to your staying. Were we to be an equality, then perhaps Te Kemara would say yes. But for the Governor to be up and Te Kemara to be down – Governor high up up up, and Te Kemara down low, small, a worm, a crawler. No no no, O Governor."

"I, Rewa say to thee, O Governor go back. Send the man away. Do not sign the paper. If you do you will be reduced to the condition of slaves, and be compelled to break stones on the roads. Your land will be taken from you and your dignity as chief will be destroyed."



"We do not want to be tied up and trodden down ... What! to be fired at in our boats and canoes by night! What! to be fired at when quietly paddling our canoes by night! I, even I, Kawiti, must not paddle this way, nor paddle that way, because the Governor said 'No' – because of the Governor, his soldiers, and his guns! No, no, no."



The chiefs fully understood there would be no “partnership with the Crown”.
“The Governor would be up, up, up and the chiefs down, down, down”.

With thanks to John Ansell.

Royal Charter disk supplied by Archives New Zealand, Wellington.



Disk of Queen Victoria's Royal Charter of 1840. Constitution of New Zealand into a Separate Colony, 16 November 1840. By the authority of the Chief Archivist, Archives New Zealand.

Queen Victoria's Royal Charter/Letters Patent.

New Zealand's true "Founding Document" and first "Constitution".



Queen Victoria's Royal Charter of 1840.

Constitution of New Zealand into a Separate Colony, 16

November 1840.

This document has been completely ignored by the New Zealand Governments and Governor Generals.

New Zealand Herald, 6 March 1990

Sir Paul and Govt differ over treaty on screen

NZPA

Sydney

The clashing views of the Governor-General, the Most Rev 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 hinting 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 Noah" 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 "pans" of

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

The head of the Ngakahu 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."

Mr 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... is, I'm afraid, idle," 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 if it not

going to become that from Dead Sea scroll eschatology 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 Tairāwhiti leader, Mr Bob Mahuta, 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 Matti 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."

The clashing views of the Governor General, the Most Rev Sir Paul Reeves and the New Zealand Government on the Treaty of Waitangi were aired on Australian television, but not New

Zealand television for very obvious reasons.

The One New Zealand Foundation Inc. has copies of the DVD and transcript of this programme.

"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".

Former Prime Minister and Leading Constitutional Lawyer, Sir Geoffrey Palmer.

Email from Mr Gregory Baughen, Dame Pasty Reddy's Official Secretary

Ross Baker

From: "Gregory Baughen [DPMC]" <Gregory.Baughen@govthouse.govt.nz>
Date: Thursday, 1 December 2016 1:54 PM
To: <onzf@bigpond.com>
Subject: Your letter to the Governor-General

[UNCLASSIFIED]

Good afternoon Mr Baker

I apologise for the delay in responding to your letter to the Governor-General, which was sent by email on 19 November.

We have corresponded before, when Sir Jerry Mateparae was Governor-General. It is clear that the views that you, and we at Government House, each hold about modern New Zealand's founding documents are not at all close.

On this occasion I would refer back to the remarks that Dame Patsy gave in her speech at her Swearing-In on 28 September. She stated then that in exercising her functions as Governor-General she would "respect and honour the unique partnership between the Crown and Māori, as enshrined in our founding document, Tē Tiriti o Waitangi".

The Governor-General, like her predecessors, continues to regard the Treaty as our country's foundation.

Once again, I think Government House and the One New Zealand Foundation will have to agree to disagree.

Yours sincerely

Gregory Baughen
Official Secretary to the Governor-General of New Zealand
Wellington, New Zealand
+64-4-382-0821 (phone) | +64-21-22-00-477 (mobile) | <http://gg.govt.nz/>

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It is interesting to note Mr Gregory Baughen's comment, "We have corresponded before, when Sir Jerry Mateparae was Governor General. It is clear that the views that you, and we at Government House hold about modern New Zealand's founding document are not that close".

That's because our research is based on documented evidence held in our Archives, not the modern views Government House holds based on a distorted and misquoted Tiriti o Waitangi to allow it to be referred to as, "A partnership between the

Crown and Maori and New Zealand's founding Document".

Governor General, Dame Pasty must honour, respect and obey Queen Victoria's Royal Charter/Letters Patent dated the 16 November 1840 and not grant Royal Assents to Bills based on race , *"as a matter of course"*!

The Final Draft of the Tiriti o Waitangi, 4 February 1840

This is the "Final Draft" written by James Busby under Lt. Governor Hobsons instructions on the 4 February 1840 that Hobson gave to the Rev Henry Williams and his son Edward to translate into the Tiriti o Waitangi at 4 pm on the 4 February 1840.

The final draft was found in 1989 by John Littlewood and his sister Beryl Needham in their deceased mother's private papers. Note the word Sovreignty is misspelt as in all of Busby's earlier drafts and it is dated the 4 February 1840, the day it was written. Rev Henry Williams and his son also made corrections in his translation to the various people the Treaty referred to in the Preamble and Article 3 as shown in "blue" in the Final Draft in 1840 and the Official Translation by the Native Department in 1869.

"All the people of New Zealand" was left as is in Article 2 as it referred to *"all the people of New Zealand"*, irrespective of race, colour or creed

The Final Draft (Written by James Busby under Lt. Governor Hobson's direction).

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 please 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 Mr. William Hobson, a Captain in the Royal Navy to be Governor in 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 One.

The Chiefs of the Confederation of 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 land, dwellings and all their property. But the chiefs of the Confederation of United Tribes and the other chief's 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 cession of their *Sovreignty* to the Queen, **the people of New Zealand** shall be protected by the Queen of England and the rights and privileges of the British Subjects

will be granted to them.

Signed, William Hobson, Consul and Lieut. Governor.

Now we the chiefs of the Confederation of the United Tribes of New Zealand assembled at Waitangi, and we the other tribes of New Zealand, having understood the meaning of these Articles, accept them and agree to them all, In witness thereof. Our names and marks are affixed. Done at Waitangi on the 4th February 1840.

“Te Tiriti o Waitangi” dated the 6 February 1840

This document is virtually word perfect to the “Final Draft” as expected, except for Rev Henry William’s changes to which people each clauses referred. See [“blue”](#).

KO WIKITORIA, te Kaiti o Ingarani, i tana mahara arowai ki nga Rangatira atu nga Haka o Nu Tirani tana hiahia hoki kia tohungia ki a ratou o ratou rangatiratanga, me te ratou wenua, a kia mau tonu hoki te Rongu ki a ratou me te Aianoho hoki kua wakaaro ia he mea tika kia tukua mai tetahi Rangatira hei kai wakarite ki nga Tangata maori o Nu Tirani kia wakanuia e nga Rangatira maori te Kawawatanga o te Kaiti ki nga wahikatanga o te Wenua nei me nga Motu-nga te mea hoki he tokomaha ke nga tangata o wana iwi Kua noho ki tenei wenua, a e haere mai nei.

Na ko te Kaiti e hiahia ana kia wakarite te Kawawatanga kia kua ai nga kino e puta mai ki te Whakamotuhanga ki te Pakarua e noho eore kore ana.

Na, kua pai te Kaiti kia tukua a hua a Wiremu Hopihona he Kapitana i te Roiara Nawi hei Kawana mo nga wahi katoa o Nu Tirani e tukua aianei, amua ki te Kaiti e mea atu ana ia ki nga Rangatira o te whakamotuhanga o nga hapu o Nu Tirani me era Rangatira atu enei ture ka kowiriiti nei.

Ko te Tautahi

Ko nga Rangatira o te Whakamotuhanga me nga Rangatira katoa hoki ki hai i uru ki teua whakamotuhanga ka tuku meua atu ki te Kaiti o Ingarani aka tonu atu te Kawawatanga katoa o o ratou wenua.

Ko te Taurua

Ko te Kaiti o Ingarani ka wakarite ka wakaat ki nga Rangatira ki hapu ki tangata katoa o Nu Tirani te tino rangatiratanga o o ratou wenua o ratou kuinga me o ratou taonga katoa. Otia ko nga Rangatira o te Whakamotuhanga me nga Rangatira katoa atu ka tuku ki te Kaiti te hokonga o era wahi wenua e pai ai te tangata aona te Wenua ki te ritenga o te utu e wakarite ai e ratou ko te kai hoko e meatia nei e te Kaiti hei kai hoko mona.

Ko te Taotera

Hei wakarite me hoki tenei mo te wakaatanga ki te Kawawatanga o te Kaiti-Ka tiakina e te Kaiti o Ingarani nga rangatira maori katoa Nu Tirani ka tukua ki a ratou nga tikanga katoa rite tahi ki ana mea ki nga tangata o Ingarani.

(Signed) WILLIAM HOBSON,
Consul and Lieutenant-Governor

Na ko matou ko nga Rangatira o te Whakamotuhanga o nga hapu o Nu Tirani ka huihori nei ki Waitangi ko matou hoki ko nga Rangatira o Nu Tirani ka kite nei i te ritenga o enei kupu, ka tangohia ka wakaatia katoa e matou, kia ka tohungia ai o matou ingoa o matou tohu.

Ka meatia tenei ki Waitangi i te ono o nga ra o Peperei i te tau kotahi mano, e waru rau e wa te hui o te ratou Ariki.

Ko nga Rangatira o te whakamotuhanga.

Hobson's Statement

"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".

Lt. Hobson only made and authorised one Treaty of Waitangi and that was the Tiriti o Waitangi signed at Waitangi on the 6 February 1840, stating, *"All other signatures that are subsequently obtained are merely testimonials of adherence to the terms of that original document"*.

After each tangata Maori chief signed the Tiriti o Waitangi at Waitangi, Lt. Governor shook their hand and repeated, *"He iwi tahi tatou – We are now one people"* to which the whole gathering gave 3 hearty cheers. The one and only true "principle" of the Tiriti o Waitangi!

In the Preamble and Article 3, Maori acknowledged they were

“tangata Maori” (blue) as it was known at the time they were not tangata whenua or the original people of New Zealand. Article 2 (underlined) remained as, “*ki tangata katoa o Nu Tirani – All the people of New Zealand*” as it referred to all the people of New Zealand, irrespective of race, colour or creed.

“Official Translation” of the Tiriti o Waitangi by Mr T E Young of the Native Department for the Legislative Council in 1869.

Victoria, Queen of England, in Her kind thoughtfulness of **the chiefs and Hapus of New Zealand**, and Her desire to preserve to them their chieftainship and their lands, 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 Maori of New Zealand may consent to the Government of the Queen of all parts of this land and the islands, because there are many of her tribe that have settled on this land and are coming hither. Now the Queen is desirous to establish the Government, that evil will not come to the Maori or the Europeans who are living without law.

Now the Queen has been pleased to send me, William Hobson, a Captain in the Royal Navy, to be Governor to all parts of New Zealand which may be given up now or hereafter to the Queen; and he give forth to the Chief of the assembly of the Hapus of New Zealand and other chiefs the laws spoken here.

The First

The Chiefs of the Assembly, and all chiefs also who have not joined the Assembly, give up entirely to the Queen of England forever all the Government of their lands.

The Second

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 other chiefs, gives to the Queen the purchase of those pieces of land which the proprietors may wish, for payment as may be agreed upon by them and the purchaser who is appointed by the Queen to be Her purchaser.

The Third

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.

Signed, William Hobson, Consul and Lieutenant – Governor.

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 attached our names and marks.

This done at Waitangi, on the 6th day of February, in the year one thousand eight hundred and forty, of our Lord.

There is absolutely no mention of a “partnership” in the Tiriti o Waitangi!

“Now the Queen has been pleased to send me, William Hobson, a Captain in the Royal Navy, to be Governor to all parts of New Zealand which may be given up now or hereafter to the Queen – that the Maori of New Zealand may consent to the Government of the Queen of all parts of this land and the islands.....We the Chiefs of New Zealand, see the meaning of these words; they are taken and consented to altogether by us. Therefore are

attached our names and marks..... All the rights will be given to them the same as Her doings to the people of England”.

The Tiriti o Waitangi was signed by over 500 tangata Maori chiefs and sovereignty was declared by Great Britain over New Zealand and its islands on the 21 May 1840.

“Fraudulent Translation” of the Tiriti o Waitangi by Professor Margaret Mutu for “Weeping Waters” Published in 2010.

Now, Victoria, the Queen of England, in her well-meaning thoughts for the heads of the tribal grouping and the tribal groupings of New Zealand, and out of desire also to signal to them their paramount authority and their lands, and so as to maintain peace with them and peaceful habitation also, has thought that it is a right thing to send a head of a tribal grouping as an arranger with the Maori people of New Zealand – so that kawanatanga of the Queen to all places of this land and the islands will be agreed by the heads of the tribal groupings of the Maori because indeed of the many of her people who are already living on this land, and are coming. Now the Queen desires to arrange the kawanatanga so that no evil will come to Maori, and to Europeans living in a state of lawlessness. (Note comma after “Maori” not in the Tiriti, which changes the whole meaning of this sentence).

So the Queen is agreeable to send me, Wiremu Hopihana, a Captain in the Royal Navy, to be Governor for all parts of New Zealand (both those) being allocated now and in the future to the Queen and says to the leaders of the tribal groupings of the Confederation of the tribal groupings of New Zealand and other chiefs these laws spoken of here.

**The
First.**

The heads of the tribal groupings of the Confederation and all the leaders of tribal groupings who have not entered that confederation allow the Queen of England all the kawanatanga (control for her subjects?) of their land.

The Second.

The Queen of England agrees and arranges for the heads of the tribal groupings, for the tribal groupings and all the people of New Zealand, their paramount and ultimate power and authority over their lands, their villages and all their treasured possessions.

However, the Chiefs of the Confederation and all the chiefs will allow the Queen to trade for (the use of) those parts of land which those whose land it is consented to, and at an equivalent of price as arranged by them and by the person trading for it (the latter being) appointed by the Queen as her trading agent.

The Third.

This is also the arrangement for the agreement to the Kawanatanga (control of her subjects) of the Queen – the Queen of England will care for all the Maori people of New Zealand and will allow them all the same customs as the people of England.

Signed, William Hobson, Consul and Lieutenant – Governor.

We the heads of the tribal groupings of the Confederation of the tribal groupings of New Zealand who met here at Waitangi, along with the heads of the tribal groupings of New Zealand, see the likeness of these words, they are taken and all agreed to by us and so our names and our marks are indicated. This was done at Waitangi on the 6th day of February in the year of our Lord eighteen hundred and forty.

Professor Margaret Mutu's Translation is a Fraud!

Professor Margaret Mutu should be charged with fraud as we believe she has deliberately distorted a State Document for personal gain.

Professor Mutu is now working with her "friend" Moana Jackson to rewrite our Constitution to include the Tiriti o Waitangi more than likely based on her fraudulent translation.

Maori should also be extremely concerned with Professor Mutu's translation of the Tiriti o Waitangi as she has shown their once Noble language can no longer be translated!

New Head Still Misleads Visitors!

—Original Message— From: Ross Baker
Sent: Friday, October 21, 2016 2:17 PM
To: Loraine Milne ; Maggie.Barry@parliament.govt.nz
Cc: Colourblind State Discussion Group ; 1law4all ; casey@hobsonspledge.nz

Subject: Re: Te Papa misleads its 1.5 million visitors a year.

Dr Bronwyn Labrum,
Head of New Zealand and Pacific Cultures, Museum of New
Zealand,
Te Papa.

Dear Bronwyn,

Re: Te Papa misleads its 1.5 million visitors.

Once again I see you have asked one of your staff to reply to
our email
below stating our request is "frivolous and vexatious",
therefore, refused
to answer it under section 18(h) of the Official Information
Act 1982 (OIA).

The One New Zealand Foundation's research shows Queen
Victoria's Royal
Charter/Letters Patent dated the 16 November 1840 separated
New Zealand from
New South Wales on the the 3 May 1841 and made New Zealand
into a
independent British Colony with its own Governor and
Constitution to form a
government to make laws with courts and judges to enforce
those laws,
irrespective of race, colour or creed. See attached "12
Reasons".

As Te Papa ignores this vital document from its displays, then
it cannot be
"frivolous or vexatious", it can only be a deliberate omission
to mislead
its 1.5 million visitors per year of New Zealand's true
history.

The One New Zealand Foundation Inc. believes it's time you

stopped hiding
behind your staff and came out of hiding and told the people
of New Zealand
why you deliberately ignore this vital part of our history.

Te Papa under your direction and funded by the taxpayers of
New Zealand has
no right to deliberately keep this vital part of our history
from its 1.5
million visitors per year.

Regards,

Ross Baker.

Researcher, One New Zealand Foundation Inc.

P.S. These emails will continue to appear on our website,
www.onenzfoundation.co.nz

—Original Message— From: Loraine Milne
Sent: Friday, October 21, 2016 10:15 AM
To: Ross Baker
Subject: RE: Te Papa misleads its 1.5 million visitors a year.

Dear Mr Baker

With regards to your correspondence that Te Papa misleads its
1.5 million
visitors:

I can assure you that Dr Bronwyn Labrum was, in addition to
other subject
matter experts, fully consulted when responding to you.

Following a full review of correspondence with you, your
request is now
deemed by Te Papa as “frivolous and vexatious”, and is refused
under section
18(h) of the Official Information Act 1982 (OIA). Te Papa has

reached this conclusion on the basis that your request 'When will Te Papa stop misleading its visitors and tell our true history and not just that which Te Papa and the government wants the people to know' has been answered previously by Te Papa. It is the view of Te Papa that the information you have requested is substantially the same information that has already been provided to you on more than one occasion, and there is no further information on the subject which can be provided.

Te Papa continues to deliver its services in accordance with the Museum of Te Papa Tongarewa Act 1992 and all New Zealand legislation.

You have the right, under section 28(3) of the OIA, to ask an Ombudsman to review my response to your request.

Kind regards.

Lorraine Milne
Senior Advisor Planning and Performance

New Head Still Misleads Visitors!

From: [Ross Baker](#)

Sent: Monday, September 5, 2016 3:25 PM

To: Bronwyn.Labrum@tepapa.govt.nz

Subject: Re: Official Information Act Request – Queen Victoria's Royal Charter/Letters Patent.

Dr Bronwyn Labrum,
Head of New Zealand and Pacific Cultures,
Museum of New Zealand,
Te Papa.

Dear Bronwyn,

Re: Te Papa misleads its 1.5 million visitors.

First I would like to congratulate you on becoming Head of New Zealand and Pacific Affairs at the the Museum of New Zealand, Te Papa.

Over the last few years the One New Zealand Foundation Inc. has been writing to Te Papa in regard to the omission of any reference to Queen Victoria's Royal Charter/Letters Patent dated the 16 November 1840.

We have been told Te Papa may include the Royal Charter when it updates its Treaty of Waitangi exhibit in a few years' time.

This will mean, Te Papa will continue to mislead its 1.5 million visitors a year by ignoring one of the most important documents in our history. See attached, "12 Reasons why the Royal Charter is our Founding Document".

Hopefully, you will not continue this tread as your predecessor by continue to mislead Te Papa's 1.5 million visitors per year, Te Papa's Treaty exhibits must be updated immediately.

The people of New Zealand and the visitors that visit Te Papa have a right to know how New Zealand separated from New South Wales in 1841 and became a British Colony with its own Governor and Constitution to form a government to make laws with courts and judges to enforce those laws, irrespective of race, colour or creed but under the watchful eye of Great Britain.

The Treaty of Waitangi only gave Britain sovereignty over all the islands of New Zealand and tangata Maori the same rights as the people of England. No more – No less. See Attached, "Queen Victoria's Royal Charter/Letters Patent".

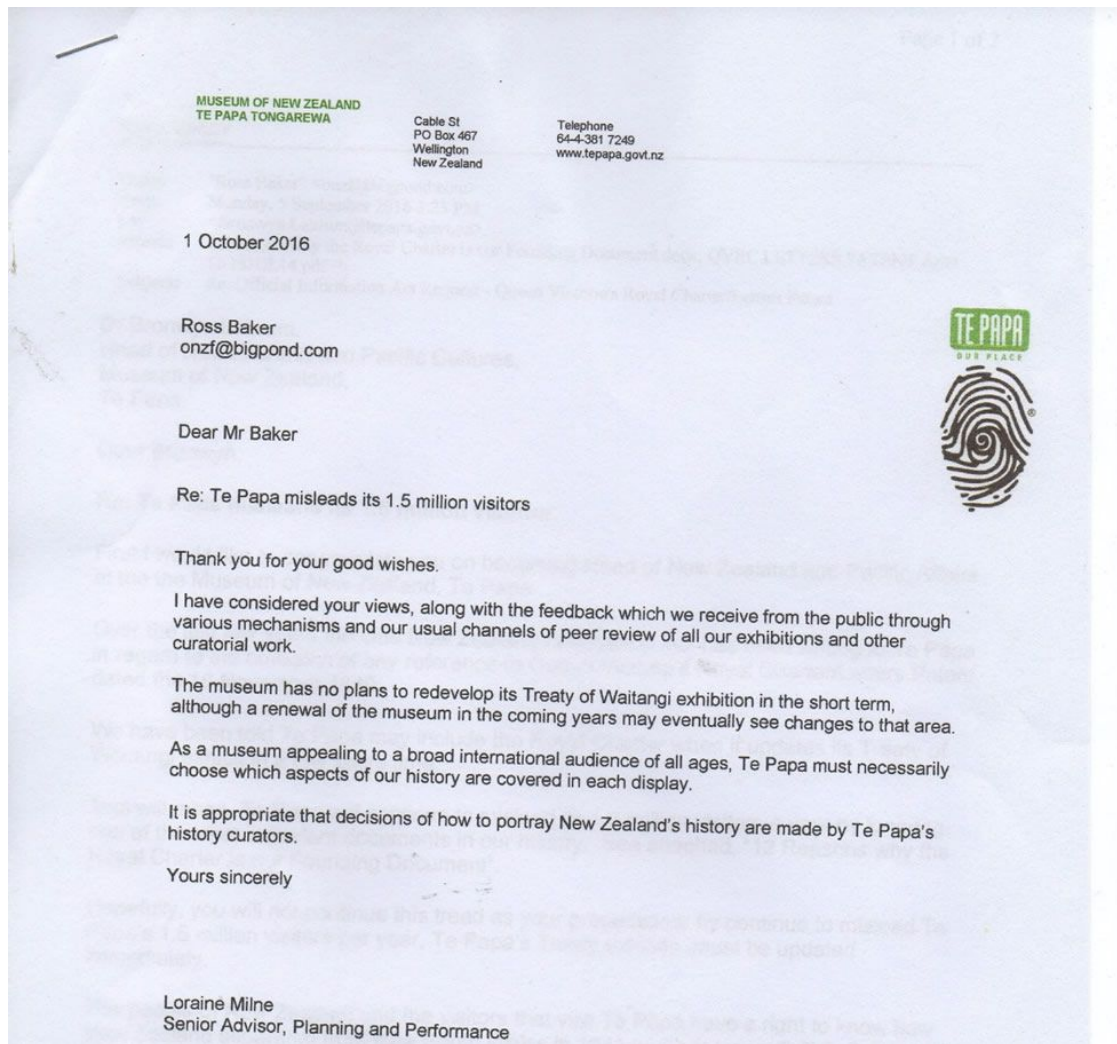
The One New Zealand Foundation asks the Head of New Zealand and Pacific Affairs at the the Museum of New Zealand, Te Papa, Dr Bronwyn Labrum under the Official Information Act,

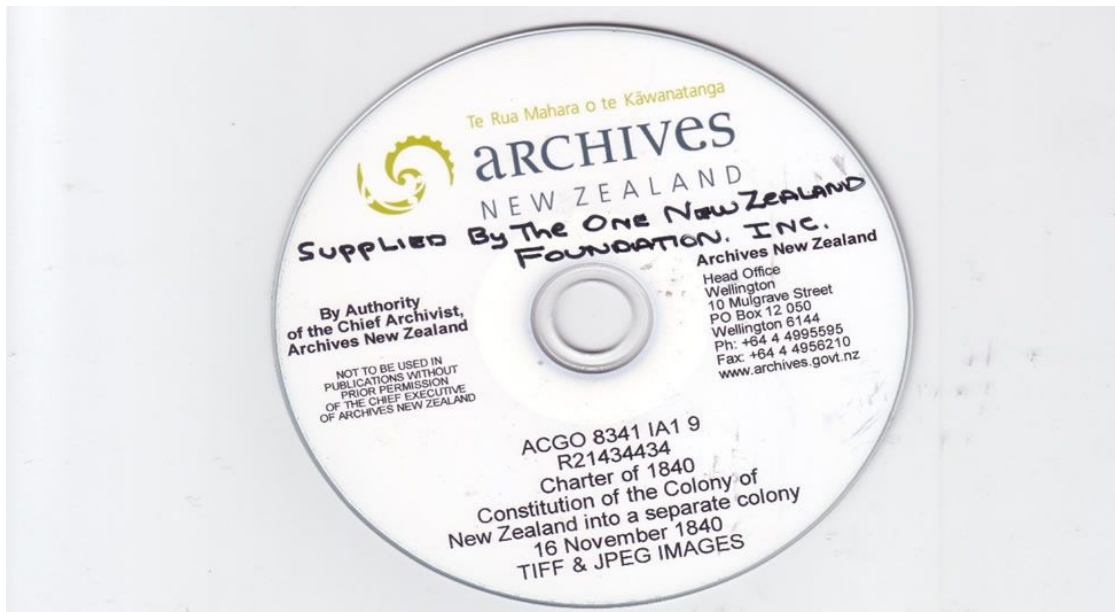
"When will Te Papa stop misleading its visitors and tell our true history and not just that which Te Papa and the government wants the people to know".

Yours sincerely,

Ross Baker,

Researcher, One New Zealand Foundation Inc.





1 October 2016.

Dr Bronwyn Labrum,
Head of New Zealand and Pacific Cultures,
Museum of New Zealand,
Te Papa.

Dear Bronwyn,

Re: Te Papa misleads its 1.5 million visitors.

I am extremely disappointed to see you had your Planning and Performance Senior Advisor, Loraine Milne reply by unsigned letter on your behalf to the ONZF's Official Information Act request dated the 5 September 2016 re; *"Te Papa misleads its*

1.5 million visitors". Copy of letter below.

Lorraine Milne states in her letter, *"The museum has no plans to redevelops its Treaty of Waitangi exhibition in the short term, although a renewal of the museum in the coming years may eventually see changes to that area". Copy of letter attached.*

This means that Te Papa will continue to mislead its 1.5 million visitors per year for many years to come.

She also states, *"As a museum appealing to a broad international audience of all ages, Te Papa must necessary choose which aspects of our history are covered in each display".*

Te Papa does not have the right, *"To choose which aspects of our history are covered in each display".* A museum it there to tell the facts, not to select parts of history that suits its staff's hidden agendas.

Finally she states, *"It is appropriate that decisions of how to portray New Zealand's history are made by Te Papa's history curators".*

Te Papa's history curators have no right of how to portray New Zealand's history. They are paid by the taxpayers to portray New Zealand true history and this means exhibiting Queen Victoria's Royal Charter/Letters Patent dated the 16 November

1840 that separated New Zealand from New South Wales dependency on the 3 may 1841 and made New Zealand into a British Colony with its own Governor and Constitution to form a government to make laws with courts and judged to enforce those laws, irrespective of race, colour or creed but under the watchful eye of Great Britain. See attached, "12 Reasons".

How would a broad international audience of all ages understand how New Zealand became a British Colony when Te Papa omits this vital part of our history? The Treaty of Waitangi definitely did not do it!

From previous letters, Te Papa does not even have a copy of Queen Victoria's Royal Charter/Letters Patent dated the 16 November 1840, which is held in the Constitution Room at Archives New Zealand!

It seems your Planning and Performance Senior Advisor, Loraine Milne and the history curators at Te Papa either do not know New Zealand's true history, therefore must be replaced immediately with people that do know our true history or they are part of a group of people at Te Papa with a hidden agenda to mislead over 1.5 million people of all ages that visit Te Papa each year for their own gain.

I had hoped you would sort out the corruption that has occurred at Te Papa for far too long, but from you Senior Advisor, it seems you are quite happy to let it continue.

I ask that you respond personally to this email and our

Official Information Act request below as we do not trust those that have replied on your behalf or previously on your predecessor's behalf.

Yours sincerely,

Ross Baker.

Researcher, One New Zealand Foundation Inc.

1. To other interested parties.

www.onenzfoundation.co.nz

The Corruption Starts at the Top!

Andrew Ketels,

Ministerial Advisor,

Office of Hon Maggie Barry ONZM,

Minister for Arts, Culture and Heritage, Minister of Conservation, Minister for Seniors

Dear Andrew,

I am sure the people of New Zealand will be surprised to know the Minister of Arts, Culture and Heritage is quite happy for Te Papa to mislead its 1.5 million visitors a year of their

true history.

So the corruption starts at the top!

The Minister's letter and this reply will appear on our website, www.onenzfoundation.co.nz as the people have a right to know the Ministers views.

Regards,

Ross Baker.

Researcher, One New Zealand Foundation Inc.



Office of Honourable Maggie Barry ONZM

MP for North Shore
Minister for Arts, Culture and Heritage
Minister of Conservation
Minister for Senior Citizens

06 SEP 2016

Ross Baker
Researcher, One New Zealand Foundation Inc.
Email: onzf@bigpond.co.nz

Dear Ross

I acknowledge your email, dated 21 August 2016, regarding your concern that the Treaty of Waitangi exhibit at Te Papa misrepresents New Zealand's history.

It should be noted that, under the Museum of New Zealand Te Papa Tongarewa Act 1992, the Minister for Arts, Culture and Heritage may not give a direction to Te Papa's Board in relation to cultural matters.

Decisions about what aspects of New Zealand's history are displayed are a matter for Te Papa. I am satisfied that Te Papa's history curators do an excellent job in this regard.

I understand that you have been advised by Te Papa and the Ministry for Culture and Heritage that there are no current plans to redevelop the Treaty of Waitangi exhibition, but that your views have been considered along with the views of other members of the public.

Thank you for raising this matter with me.

Yours sincerely

Hon Maggie Barry ONZM
Minister for Arts, Culture and Heritage

12 reasons why the Royal Charter is our true “Founding Document”

I cannot understand why government, Te Papa and our historians and researchers ignore Queen Victoria’s Royal Charter/Letters Patent as our Founding Document in favour of the Treaty of Waitangi. The Treaty of Waitangi only gave Britain sovereignty of all the islands of New Zealand and tangata Maori the same rights as the people of England under the laws and dependency of New South Wales for 12 months, (21 May 1840 until the 3 May 1841). The Treaty was then filed away where it should have remained as it had served its purpose and was of no further use.

Queen Victoria’s Royal Charter/Letters Patent dated the 16 November 1840:-

1. Separated New Zealand from New South Wales on the 3 May 1840.
2. Made New Zealand into a British Colony.
3. Gave New Zealand its first Governor.
4. Gave New Zealand its first Constitution.

5. Gave New Zealand the right to form its own Government.
6. Gave New Zealand the right make its own laws and legislation under the watchful eye of Great Britain.
7. Gave New Zealand its own courts to enforce those laws.
8. Gave New Zealand its own judges to hear all the evidence.
9. Gave New Zealand its own justice system of one law for all.
1. Gave New Zealand its own political system based on merit not race.
1. New Zealand was recognised by the rest of the world as an independent British Colony.
2. And finally, it made all the people of New Zealand one people under one law and one flag, irrespective of race, colour or creed.

I cannot think of any other document that was more important to New Zealand and its people than Queen Victoria's Royal Charter/Letters Patent dated the 16 November 1840, but unfortunately it is completely ignored by those that should

know better, the Government, Te Papa and most of our researchers, historians and 1law4all.

The more we debate and write books etc. about the Treaty and ignore the Royal Charter, the more we help Maori distort a document that was filed away on the 21 May 1840 when New Zealand became British soil under one law and one flag irrespective of race, colour or creed.

There is no mention of the Treaty in the Royal Charter because the Treaty had served its purpose by the 21 May 1840, allowing Britain to make New Zealand into a British Colony on the 3 May 1841. The Royal Charter made New Zealand a country in its own right recognised by the rest of the world, a fact that has never been disputed by any other nation.

After the 3 May 1841 the Treaty of Waitangi was of little use, except as an historical document that gave sovereignty over all the Islands of New Zealand to Britain and Maori the same rights as the people of England, but the majority continue to accept it as our Founding Document when, in fact, it was no more our Founding Document than the paper that our fish and chips come wrapped in!

It is obvious why government, Te Papa and our researchers and historians ignore it as it would destroy the Waitangi Tribunal and most of the Treaty of Waitangi claims as well as the 1.5 million visitors per year being misled by Te Papa, but why would 1law4all want to deprive its members of our true Founding Document and first Constitution?

From the above, how could anyone say, "Queen Victoria's Royal

Charter/Letters Patent dated the 16 November 1840 is not our true Founding Document and first Constitution”?

**Ross Baker, Researcher, One New Zealand Foundation Inc.
3/9/2016 (C).**

Minister must act immediately

Andrew Ketels,

Ministerial Advisor,

Office of Hon Maggie Barry ONZM,

Minister for Arts, Culture and Heritage.

Dear Sir,

Re: Te Papa misleading the public.

Thank you for transferring our OIA request to the Ministry of Culture and Heritage.

I have since received a reply from Mr Ralph Johnston, Manager

Heritage Policy and am extremely concerned, *“Te Papa has no plans to redevelop its Treaty of Waitangi exhibition in the short term, although a renewal of the museum in the coming years may see changes to that area”*.

This means that over 1.5 million visitors to Te Papa per year will continue to be denied a vital part of New Zealand's history by Te Papa.

The Treaty of Waitangi gave Britain sovereignty over all the islands of New Zealand and tangata Maori the same rights as the people of New Zealand under the laws and dependency of New South Wales for only 12 months (21 May 1840 until 3 May 1841) when Queen Victoria's Royal Charter dated the 16 November 1840 separated New Zealand from New South Wales and made New Zealand into an independent British Colony on the 3 May 1841 with its own Governor and Constitution to form a government to make laws with courts and judges to enforce those laws, irrespective of race colour or creed. Queen Victoria's Royal Charter was New Zealand's true Founding Document and first Constitution. See the attached disk by the authority of the Chief Archivist, Archive New Zealand entitled, *“Charter of 1840, Constitution of the Colony of New Zealand into a separate colony. 16 November 1840”*.

Te Papa will continue to mislead its 1.5 million visitors a year by completely ignoring this vital part of our history with no intention of correction for a number of years, if ever.

This corruption can only be occurring due to a hidden agenda by those in charge of the exhibitions at Te Papa and the Minister must intervene and order the redevelopment of the Treaty of Waitangi exhibition immediately with recognition of Queen Victoria's Royal Charter as New Zealand's true Founding Document and first Constitution.

For the Minister, Hon Maggie Barry to fail to act immediately

can only show the Minister and the government are part of the corruption which we will endeavour to make the public of New Zealand aware through our website.

Te Papa and the Minister has a duty to inform Te Papa's 1.5 visitors a year of the true history of New Zealand and not just that which suits Te Papa's history curators hidden agendas and the benefit of one small group of New Zealand Citizens that can claim a minute trace of tangata Maori ancestry.

I have enclosed a brief article on my research into Queen Victoria's Royal Charter/Letters Patent which we encourage the Minister to read as it gives the importance of the Royal Charter to New Zealand's history that Te Papa deliberately omits from its exhibits, especially the Proclamations by Governor William Hobson and the First Sitting of the Legislative Council of New Zealand.

Yours sincerely,

Ross Baker.

Researcher, One New Zealand Foundation Inc.

This email appears our website, www.onenzfoundation.co.nz with those already posted. The public have a right to know they are being denied a vital part of our true history by Te Papa.

Corruption within Te Papa

The One New Zealand Foundation Inc. has asked the Minister for Culture and Heritage, Hon Maggie Barry under the Official Information Act to look into the corruption that has been allowed to escalate at Te Papa over the years until its History Curators have taken it upon themselves to "*choose which aspects of New Zealand history are covered in each display*". If the taxpayers and people of New Zealand are to finance and support Te Papa, then it must display all our history and not that which, "*Te Papa's history curators choose*" that is solely to benefit the descendants of tangata Maori. See letter below from Mr Ralph Johnston and the ONZF reply.

I also suggest you read Governor Hobson Proclamations at the end of Queen Victoria's Royal Charter/Letter Patent. They show the importance of the Royal Charter that is completely ignored at Te Papa. The Royal Charter is our 'true' Founding Document and 'first' Constitution.

17 August 2016

Ross Baker
Researcher, One New Zealand Foundation Inc.
onzf@bigpond.com

Dear Mr Baker,


Thank you for your email of 10 July 2016 regarding the Treaty of Waitangi exhibition at Te Papa. Your request was transferred from the Minister for Arts, Culture and Heritage, to the Ministry for Culture and Heritage, in line with the Official Information Act 1982.

Te Papa has no plans to redevelop its Treaty of Waitangi exhibition in the short term, although a renewal of the museum in the coming years may eventually see changes to that area. As a museum appealing to a broad international audience of all ages, Te Papa must necessarily choose which aspects of New Zealand history are covered in each display. Te Papa is not, and does not claim to be, a comprehensive summary of New Zealand's history, culture and environment.

I understand that Te Papa has received earlier correspondence from you, and has considered your views along with the feedback it receives from other members of the public. It is appropriate that decisions of how to portray New Zealand's history are made by Te Papa's history curators.

I trust this satisfies your request for information.

Yours sincerely



Ralph Johnson
Manager, Heritage Policy

One New Zealand Foundation Inc

**P.O.Box 7113, Pioneer Hwy, Palmerston North. Email
ONZF@bigpond.com.au**

21 August 2016.

Mr Ralph Johnston,

Manager,

Heritage Policy

Ministry for Culture and Heritage.

Dear Sir,

Thank you for your letter dated the 17 August 2016 regarding the Treaty of Waitangi exhibit at Te Papa.

You state, *"As a museum appealing to a broad international audience of all ages, Te papa must necessary choose which aspects of New Zealand history are covered in each display"*. You then state, *"It is appropriate that the decisions of how to portray New Zealand's history are made by Te Papa's history curators"*, finally finishing with, *"I trust this satisfies your request for information"*.

Sir, your letter does not satisfy my request for information, in fact it disgust me that the Manager of the Heritage Policy for the Ministry of Culture and Heritage endorses Te Papa's corrupt staff that *"choose"* our history to mislead the people of New Zealand and its 1.5 million visitors a year. No one has the right to *"choose which aspects of New Zealand history are covered by each display"*.

There is no doubt from your comment, Te Papa has been high-jacked by a few people to feather their own nests by misleading the people of New Zealand and its 1.5 million visitors a year of New Zealand's true history.

The Treaty of Waitangi was only to give Britain sovereignty over all the islands of New Zealand and tangata Maori the same rights as the people of England under the laws and dependency of New South Wales and that's exactly what it did on the 21

May 1840. Queen Victoria or Lt. Governor Hobson did not have the power or authority to give tangata Maori any special rights in the Treaty of Waitangi not already enjoyed by all the people of England under English law, and none were given.

The history curators at Te Papa have conveniently omitted the Preamble to the Treaty in their displays. Without the Preamble the Treaty can be and is being distorted to satisfy the descendant's of tangata Maori and not "all the people of New Zealand" as intended by those that signed it in 1840. See attached, "When in doubt – Consult the Preamble.

Queen Victoria's Royal Charter/Letters Patent dated the 16 November 1840, which is completely ignored at Te Papa separated New Zealand from New South Wales on the 3 May 1841 and made New Zealand into a British Colony with its own Governor and Constitution to make laws with courts and judges to enforce those laws irrespective of race, colour or creed. This occurred just 12 months after the Treaty was signed and filed away after Britain gained Sovereignty over all the islands of New Zealand and is a vital piece of New Zealand history that Te Papa completely ignores and must be displayed for all to read and understand. Queen Victoria's Royal Charter is New Zealand's 'true' Founding Document and 'first' Constitution! See attached, Queen Victoria's Royal Charter/Letters Patent.

It seems Te Papa has become a "haven of corruption" by a few for their own gain. Te Papa belongs to "all the people of New Zealand" and not a few that have decided to "choose and display" only parts of our history to benefit those that can claim a small trace of tangata Maori ancestry. Over 500 chiefs acknowledged and accepted the fact they were "tangata

Maori” when they signed the Treaty and not “tangata whenua” or the Indigenous People of New Zealand but this is also overlooked at Te Papa.

Sir, your attached letter and this reply will appear on our website as the people of New Zealand have a right to know who is behind the corruption at Te Papa and it seems the Ministry for Culture and Heritage is just as corrupt as those in charge of displaying their “*chosen*” history.

The One New Zealand Foundation Inc. asks the Minister for Culture and Heritage, Hon Maggie Barry to look into the corruption that has been allowed to escalate at Te Papa over the years until its history curators have taken it upon themselves to “*choose which aspects of New Zealand history are covered in each display*”. If the taxpayers and people of New Zealand are to finance and support Te Papa, then it must display all our history and not that which, “*Te Papa’s history curators choose*” that is solely to benefit the descendants of tangata Maori.

Yours sincerely,

Ross Baker.

Researcher, One New Zealand Foundation Inc.

1. Minister of Culture and Heritage, Hon Maggie Barry.

See attachments below.

When in doubt – Consult the Preamble

Both the Maori and English treaties of Waitangi were between tangata Maori and Queen Victoria for Britain to gain sovereignty of all the islands of New Zealand but over the years there has been on-going debate over the wording of both documents.

Unfortunately, people fail to read the Preamble, which in any document explains the clauses of a document if they are ambiguous or not fully understood.

The Tiriti o Waitangi states the word, "Kawanatanga" and there has been ongoing debate whether it means "sovereignty" or "governorship". The Preamble of both treaties state, "*To all places of New Zealand which may be given up now or hereafter to the Queen*", therefore, this can only mean "sovereignty". (Official translation of the Tiriti o Waitangi for the Government of the day by Mr T E Young of the Native Department in 1869).

Maori also call themselves "tangata whenua" but the Tiriti o Waitangi states 3 times, twice in the Preamble and once in Article 3 that the chiefs who signed the Tiriti o Waitangi were "tangata Maori" and not "tangata whenua". Over 500 "tangata Maori" chiefs acknowledged, accepted and signed the Tiriti o Waitangi as "tangata Maori", not tangata whenua or the Indigenous People of New Zealand.

It was the "tangata Maori" that were given "*The same rights as the people of England*" in Article 3, not "tangata whenua" or the Indigenous people of New Zealand as they had long gone.

While Article 2 of the English version does not mention "*all the people of New Zealand*", both Treaties state, "*Tangata Maori would be give the same rights as the people of England..... to their lands, their settlements and all their property*". Once the Treaty was signed, "*all the people of New Zealand*" came under the dependency and laws of New South Wales under one flag and one law irrespective of race, colour or creed.

Queen Victoria's Royal Charter/Letters Patent dated the 16

November 1840, our 'true' Founding Document and 'first' Constitution confirmed the above when it made New Zealand into a British Colony with its own Governor and Constitution to make laws with courts and judges to enforce those laws, but still under the watchful eye of Great Britain.

On the 26 September 1907 New Zealand became the Dominion of New Zealand with complete self-government by proclamation of King Edward VII. New Zealanders became British Subjects with British Passports.

In 1947 New Zealand adopted the Statute of Westminster that gave New Zealand complete control over its domestic as well as its foreign affairs and all the people of New Zealand became New Zealand Citizens with New Zealand Passports.

Three long debated questions answered by one simple document, the Treaty of Waitangi. Who would have guessed it was so simple after so many years of debate and so many books written!

So when in doubt – Consult the Preamble

Compiled by Ross Baker, Researcher, One New Zealand Foundation Inc. 10/8/2016. Copyright.

Time to Honour Queen Victoria's Royal Charter/Letters Patent

OUR 'TRUE' FOUNDING DOCUMENT AND 'FIRST' CONSTITUTION

The Government continues to use the Treaty of Waitangi as our Founding Document to give part-Maori privilege and advantage over those who cannot claim a minute trace of Maori ancestry when the Treaty only gave Maori, "the same rights as the people of England". The Treaty of Waitangi was the most generous gift to a primitive people on their way to self-destruction that was ever given by a super power. After Lt. Governor Hobson had declared Sovereignty over New Zealand on the 21st May 1840, the Treaty of Waitangi had served its purpose and was put into storage where it was later damaged by fire and rats.



The Treaty of Waitangi was a very simple document that gave Sovereignty of New Zealand to Great Britain and to tangata Maori "the same rights as the people of England". After Queen Victoria's Royal Charter/Letters Patent was issued, the Treaty had served its purpose and was put into storage where it was later damaged by fire and rats.

By 1831 intertribal fighting had devastated the "tangata Maori" population and 13 Ngapuhi chiefs asked King William IV to be their guardian and protector, but it was soon found this could only be successfully achieved by Britain obtaining sovereignty over all the Islands of New Zealand and "tangata-Maori" becoming British Subjects.

During 1840, starting on the 6th February the Treaty of Waitangi was signed between 512 "tangata Maori chiefs" and

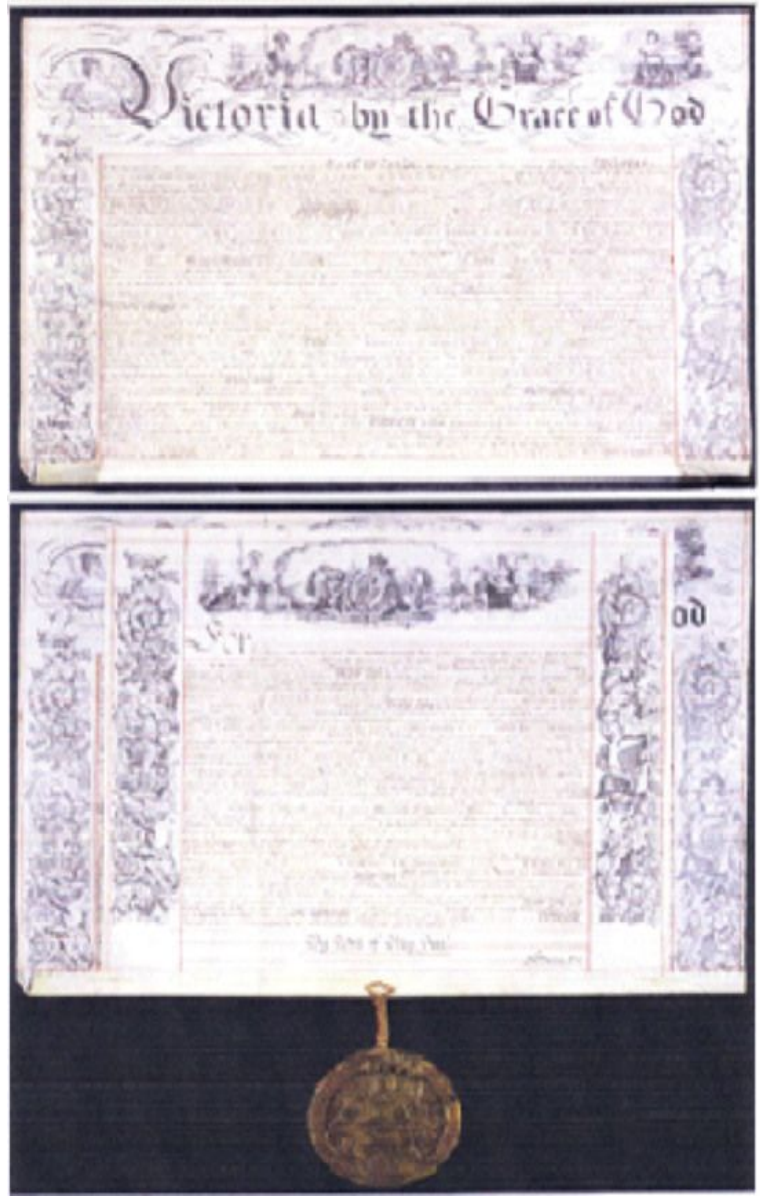
Queen Victoria where the chiefs gave up their territories and governments to legally allow British Sovereignty over all the Islands of New Zealand under the dependency and laws of New South Wales. This arrangement only lasted for 12 months before New Zealand separated from New South Wales by Royal Charter and became a British Colony

With British Sovereignty firmly asserted, Queen Victoria's Royal Charter/Letters Patent dated the 16 November 1840 ratified that Sovereignty had been legally and morally obtained by Great Britain over all the Islands of New Zealand. This was recognised and accepted by the rest of the world, including the hundreds of Chiefs that attended the Kohimarama Conference in 1860 and Maori Parliament in 1879.

Queen Victoria's Royal Charter/Letters Patent with its Royal Seal attached separated New Zealand from New South Wales on the 3 May 1841 and New Zealand became a British Colony with a Governor and a Constitution to form a legal government to make laws with courts and judges to enforce those laws, all under the watchful eye of Great Britain. **Lt. Governor Hobson was sworn in as our first Governor on the 3 May 1841 and the first sitting of the Legislative Council (Government) was held on the 24 May 1841.**

If the Government continues to use the Treaty of Waitangi as our Founding Document and not the Royal Charter/Letters Patent we will never solve our racial and social problems, the Treaty will continue to drive a wedge between the people of New Zealand.

The Treaty of Waitangi was an agreement between “tangata Maori” and Queen Victoria for Britain to gain sovereignty over the Islands of New Zealand. Queen Victoria’s Royal Charter/Letters Patent was our ‘true’ Founding Document and ‘first’ Constitution that set up our Political and Justice systems under one law for all.



Queen Victoria's Royal Charter/Letters Patent with its Royal Seal, separated New Zealand from New South Wales and New Zealand became a British Colony of the 16 November 1840 under one law and one flag, irrespective of race, colour or creed.

In 1947, with the adoption of the **Statute of Westminster** that granted New Zealand complete autonomy in domestic as well as foreign affairs, we all became New Zealand Citizens under one flag and one law, irrespective of race, colour or creed.

It is interesting to note that Te Papa and the Ministry of

Justice Electoral and Constitutional Policy Unit do not hold copies or any information on the Royal Charter/Letters Patent. We asked Te Papa under the Official Information Act (OIA), *"Does Te Papa have a copy of Queen Victoria's Royal Charter and if so, why is it not given its rightful place at Te Papa"*? Claire McClintock, Senior Advisor, Office of the Chief Executive, Te Papa, Museum of New Zealand replied. *"Te Papa does not have a copy of the Charter"*.

We then asked the Ministry of Justice under the OIA, *"Why is Queen Victoria's Royal Charter/Letters Patent not mentioned or part of New Zealand's Legal System"*? Fiona Illingworth, Manager, Electoral and Constitutional Policy, Ministry of Justice replied, *"Your request is refused under Section 18(g) of the OIA 1982 as the Ministry of Justice does not hold any information relating to your request"*.



Unbelievable when it is held in the Constitution Room at Archives New Zealand and listed as, *"ACGO 8341, 1A19, R21434434, Charter of 1840, Constitution of the Colony of New Zealand into a separate colony, 16 November 1840"*.

Archives New Zealand's disc of the, "Charter of 1840, Constitution of the Colony of New Zealand into a separate colony, 16 November 1840".

Use it or lose it!

Our governments and academics have completely ignored the Royal Charter/Letters Patent as our 'true' Founding Document and 'first' Constitution since the 1975 Treaty of Waitangi Act.

There is no doubt the Government and some part-Maori do not want this document made public as it would show how the people of New Zealand have been misled by their Politicians and

Governments since the 1975 Treaty of Waitangi Act and the apartheid Waitangi Tribunal it created. Queen Victoria's Royal Charter/Letters Patent is our Founding Document and first Constitution as confirmed by the New Zealand Gazette Notices below.

Gazette Notices and Proclamations that made New Zealand into an Independent British Colony.

THE NEW ZEALAND GOVERNMENT GAZETTE.

(PUBLISHED BY AUTHORITY)

No 12 [KORORAREKA BAY OF ISLANDS, MAY 6, 1841] GRATIS.

DECLARATION OF THE INDEPENDENCE OF NEW ZEALAND, AND THE
APPOINTMENT OF HIS EXCELLENCY, CAPTAIN WILLIAM HOBSON, RN
AS GOVERNOR IN CHIEF IN AND OVER THE SAME.

THE CAPITAL.

By the latest accounts from Auckland we learn that the "James" had arrived from London bearing HIS EXCELLENCY'S Commission as Governor in Chief, in and over the Islands of New Zealand, and her Majesty's Order in Council for their separation from New South Wales. His EXCELLENCY was pleased to appoint Monday last for Proclaiming the same, and shortly afterwards a Levee was to have been held. In the Evening HIS EXCELLENCY was to have given a grand Dinner at Government House, to which all the *elite* of Auckland and the surrounding country have received invitations.

KORORAREKA.

Early in the morning of Monday last, the day appointed for

Proclaiming HIS EXCELLENCY as Governor in Chief, &c., we were proud to observe the ships in the Harbour decorated with numerous flags. At noon they fired a Salute in honor of the occasion. The Union Jack floated

in front of the stores of Messrs Henry Thompson and Co., over the premises of Messrs Edney and Hemmings, and also at the Flag Staff Hill.

THE ILLUMINATIONS.

It is impossible for us in our limited space to describe the demonstrations of joy the inhabitants manifested in the evening on the happy occasion. Illuminations – fire-works – burning of tar barrels – firing of muskets and pistols from the hills and all parts of the Town – the parading of a band of music through the streets – the rejoicing of the Mauries – their war and other dances – all tended to make it one of the happiest possible. Among the best illuminated premises we noticed the Russell Hotel, which was very brilliant, as were those of Messrs Edney and Hemmings, on the Beach Mr. Dunn's Inn, York street, Wood's Hotel, the Gazette Printing Office, Captain Clayton's new house, Mr Fenton's &c., &c. The night was remarkably clear – the reflections of the red blaze from the Town mingling with the softened light from the "young May moon" falling upon the sparkling waters of the Bay produced a charming effect. There could not be less than two hundred Mauries on the Beach during the evening. We regret that His Excellency had not witnessed the fervour of their rejoicing. Several of the men carried muskets and powder flasks – many Maurie boys carried small flags on handsomely carved batteaus(?) – and the females, also, vied with their partners in their manifestations of delight. The entire proceedings happily passed over without the slightest accident.

A party of Gentlemen were entertained at dinner by Henry Thompson, Esq., at his residence, Kororareka, – for the particulars of which we are indebted to a gentleman who was

present. Although the party consisted of Mr. Thompson's own friends, yet it was purely a public dinner, and was given by him in honor of His Excellency's Appointment to the Governorship-in-Chief of New Zealand. The guests were – Captain Beckham, our Police Magistrate, Robert Fitzgerald, Esq., the newly appointed Police Magistrate, Frederick Whittaker, Esq., Captain Anwyl, John Scott Esq., W. S. Graham Esq., Captain Peil, Alexander Kennedy, Esq., Eugene Cafler, Esq., Daniel Pollen Esq., M.D. and John Hoggard Esq. Mr Thompson acted as Chairman, and Mr Grahame as vice Chairman. The cloth having been removed the usual toasts of – The Queen and the infant Princess – Prince Albert and the Royal Family – and the Army and Navy – were proposed and drank with all the honors. John Scott Esq., replied to the last toast on behalf of the Army with all the enthusiasm which should belong to every British Officer, and which he strongly felt at the announcement of the toast, as it recalled to his recollection those happy days of his life when he had the honor of belonging to that glorious establishment. The Chairman now called for bumpers – rose to propose the Toast of the Day and spoke as follows: Gentlemen, – we have assembled here this day for the purpose of celebrating an event of the highest importance in our admired land. At noon of this day His Excellency the Governor proclaimed New Zealand a distinct and independent Colony – an event which will live long in our memories, and will form the subject of conversation of many a future and happy hour. But, gentlemen, we have met here more particularly for the purpose of doing honor to His Excellency Captain Hobson, on his appointment to the Governorship-in-Chief of New Zealand – a measure, which has produced in my breast, and which I am certain, will be responded to by every heart present – but one feeling, namely, that of unmingled delight. Had there been time since our arrival here, which was only yesterday, to have called a public dinner, it certainly would have been done, and even yet if one is got up, I have no doubt all present will be happy to attend. But it seemed to me that our rejoicings at Kororareka should be simultaneous with

those at Auckland. Accordingly, Gentlemen, I avail myself of the pleasure of your company on this day, to what may be termed a private public dinner. Gentlemen, – His Excellency, previous to his arrival in this Colony, had already earned for himself a name, which guaranteed its descent into posterity. It was his good fortune to distinguish himself in an elevated position in the service of his Country. He belongs, Gentlemen, to the most glorious Establishment – to the most formidable armada that ever graced and terrified the world. His Excellency has now, however, entered on an entirely different sphere, and there can be no doubt that the same energy – the same judgment, and the same ability that qualified him so well for Naval Command will fit him for the high office to which it has pleased Her Majesty to appoint him. To

Captain Hobson's amiability, to his love of justice, to his strict regard for economy, and to his sterling integrity. I can bear witness; and that he may be an excellent Governor, it is only necessary that he should have around him good and faithful Councillors – men of informed and independent minds –

THE NEW ZEALAND GOVERNMENT GAZETTE.

(PUBLISHED BY AUTHORITY)

**No 13 [KORORAREKA BAY OF ISLANDS, MAY 13,
1841] GRATIS.**

PROCLAMATION

BY HIS EXCELLENCY CAPTAIN WILLIAM HOBSON, GOVERNOR AND COMMANDER IN CHIEF IN AND OVER THE COLONY OF NEW ZEALAND AND ITS DEPENDENCIES.

WHEREAS HER MAJESTY has been pleased by Letters Patent under

the Great Seal of the United Kingdom of Great Britain and Ireland, bearing date the Sixteenth Day of November, in the Year of our Lord One Thousand Eight Hundred and Forty, to erect the ISLANDS of NEW ZEALAND into a SEPARATE TERRITORY by the Name of HER MAJESTY'S Colony of NEW ZEALAND: Now, therefore I THE GOVERNOR AND COMMANDER IN CHIEF, by COMMISSION under the GREAT SEAL appointed, do hereby Notify and Proclaim that under Her Majesty's said LETTERS PATENT the ISLANDS of NEW ZEALAND are henceforth to be designated and known as HER MAJESTY'S Colony of NEW ZEALAND and its DEPENDENCIES. And I do hereby further Notify and Proclaim, that Her Majesty has been pleased to direct that the Three Principal Islands of NEW ZEALAND hereafter or commonly Called – "THE NORTHERN ISLAND," "THE MIDDLE ISLAND," AND STEWART'S ISLAND" shall henceforth be designated and known respectively as "NEW ULSTER," "NEW MUNSTER" AND "NEW LEINSTER," of which all Her Majesty's Subjects are hereby required to take Notice. GIVEN UNDER MY HAND AND SEAL AT GOVERNMENT-HOUSE, AUCKLAND, THIS 3RD DAY OF MAY, IN THE FOURTH YEAR OF HER MAJESTY'S REIGN, AND IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND FORTY-ONE.

By His Excellency's Command, (SIGNED)

WILLOUGHBY SHORTLAND. W. HOBSON, GOVERNOR.

GOD SAVE THE QUEEN.

PROCLAMATION.

BY HIS EXCELLENCY CAPTAIN WILLIAM HOBSON, GOVERNOR AND COMMANDER IN CHIEF IN AND OVER THE COLONY OF NEW ZEALAND AND ITS DEPENDENCIES. &c., &c., &c,

WHEREAS HER MAJESTY has been graciously pleased, by Commission under the Great Seal of the United Kingdom of Great Britain and Ireland, bearing date the sixteenth day of November, in the Year of our Lord 1840, to constitute and Appoint me, WILLIAM HOBSON, ESQUIRE, CAPTAIN IN HER MAJESTY'S ROYAL NAVY, to be GOVERNOR AND COMMANDER IN CHIEF in and over Her

Majesty's Colony of New Zealand and its Dependencies.

NOW THEREFORE I the GOVERNOR and COMMANDER –IN-CHIEF aforesaid, do hereby Proclaim and Declare that I have this day have taken the prescribed Oaths and assumed the Administration of the Government accordingly. And I do hereby further Proclaim and Declare, that Her Majesty Has been pleased to appoint an EXECUTIVE COUNCIL for the said Colony, and to nominate and appoint the undermentioned Persons to be Members thereof, – That is to say:-

THE COLONIAL SECRETARY OF THE SAID COLONY FOR THE TIME BEING

THE ATTORNEY GENERAL OF THE SAID COLONY FOR THE TIME BEING

THE COLONIAL TREASURER OF THE SAID COLONY FOR THE TIME BEING

And I do hereby Proclaim and Declare, that Her Majesty has been further pleased to Appoint a LEGISLATIVE COUNCIL for the said Colony of New Zealand and its Dependencies, – and to Appoint and Direct that such Legislative Council shall be formed and shall consist of the following Members:-

HIS EXCELLENCY THE GOVERNOR FOR THE TIME BEING

THE COLONIAL SECRETARY FOR THE TIME BEING

THE ATTORNEY GENERAL FOR THE TIME BEING

THE COLONIAL TREASURER for the time being, AND

THE THREE SENIOR JUSTICES OF THE PEACE, nominated as such in any Commission of the Peace to be issued by me, the said GOVERNOR AND COMMANDER- IN-CHIEF, or by the Governor or Acting-Governor for the time being. The GOVERNOR, fully impressed with the magnitude and importance of the duties thus confided to him, is supported by the hope that Almighty God will bless his best efforts to give full effect to these Her Majesty's most gracious measures for the establishment of Peace and Order in this important Colony; and he relies with

confidence on the loyalty of the Colonists, and on their hearty cooperation with the Government in cultivating those feelings of mutual good will which alone can insure to them the future benefit of Her Majesty's solicitude for their welfare and prosperity.

The GOVERNOR avails himself of this occasion to appeal to the good feelings of the Colonists generally in favour of their fellow subjects of the NATIVE RACE, who require only instruction and good example to become equal to Europeans in moral, as they are already in physical attainments, and to point out to all who really have the true interests of the Country at heart, the propriety of conciliating their affection by making every charitable allowance for their defects, and by conducting all intercourse with them in a spirit of justice and forbearance. The GOVERNOR trusts that he will be afforded the satisfaction of hereafter knowing, that His endeavours for the accomplishment of Her Majesty's gracious and benign views have not been employed in vain.

Given under my Hand and Seal at Government House, Auckland, this 3rd day of May, in the Fourth Year of Her Majesty's Reign, and in the year of our Lord one Thousand Eight Hundred and Forty-one.

(Signed)

WILLIAM HOBSON,

GOVERNOR.

THE NEW ZEALAND GOVERNMENT GAZETTE.

(PUBLISHED BY AUTHORITY)

No 17 [KORORAREKA BAY OF ISLANDS, June 24, 1841] GRATIS.

First Sitting Of THE LEGISLATIVE COUNCIL OF NEW ZEALAND.

HIS EXCELLENCY THE GOVERNOR, according to notice, opened the

first Session of the **Legislative Council** of New Zealand, on the 24th May alt.

Honorable. W.SHORTLAND, Colonial Secretary,

Honorable FRANCIS FISHER, Attorney General,

Honorable GEORGE COOPER, Colonial Treasurer,

E.S.HALSWELL, Esq., one of three Senior Justices,

Being present received the Oaths and took their Seats in the Legislative Council accordingly.

JAMES COATS, Esq., was appointed Clerk of the Council, and took the Oaths of Office.

HIS EXCELLENCY then delivered the following SPEECH:-

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, perspicuous 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 following year, which, although in a forward state of preparation, are incomplete, owing to the non-arrival of the directions from the Lords of the Treasury, of which I am advised, and which may be daily expected.

HIS EXCELLENCY THE GOVERNOR, continues: GENTLEMEN, –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 resulting 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 granting 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.

GENTLEMEN, –We have 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 and elevating the character of the Aboriginal Inhabitants. In this salutary work, I confidently look for your cordial assistance and cooperation, and I trust under Devine Providence, we shall be enabled to accomplish these important objects, and give effect to Her Majesty's gracious and benign views for the welfare, prosperity, and Civilization of this Colony.

After laying on the Table the Indemnity Bill, THE GOVERNOR adjourned the Council until

Thursday, 27th May 1841.

CONCLUSION by Ross Baker, researcher, One New Zealand Foundation Inc.

Any breach against the Crown can only be a breach against the laws of New Zealand and not the Treaty of Waitangi or the Waitangi Tribunal, where only those with a minute trace of Maori ancestry can lay a claim or participate. All alleged claims against the Crown since 1975 should have been heard by our Justice System where all New Zealand citizens could have participated as they were in the 1930's and 1940's when most of the recent claims were "fully and finally" settled. They should not have been heard by the apartheid Waitangi Tribunal or the Crown that allows our history and the Treaty of Waitangi to be continually distorted to allow these claims to proceed. The Treaty of Waitangi or Queen Victoria's Royal Charter/Letters Patent gave **no** exclusive rights to Maori; we were all given the same rights under one flag and one law, irrespective of race, colour or creed!

The Treaty of Waitangi was an agreement between Queen Victoria and "tangata Maori".

The Royal Charter/Letters Patent was our 'true' Founding Document and 'first' Constitution.

The People must speak out as our Politicians and Governments have misled us since 1975.

New Zealand Independence Day must be celebrated on the 3 May each and every year.

Compiled by Ross Baker. Researcher, One New Zealand foundation Inc. 28/6/14 (c)

Become a member of the One New Zealand Foundation Inc. to help claim back our Rights as New Zealand Citizens under one flag and one law irrespective of race, colour or creed.

Membership Form

One New Zealand Foundation Inc.

P.O.Box 7113, Pioneer Hwy, Palmerston North. Email: ONZF@bigpond.com.au

To join or renew your membership, please print this page, complete the form and post to the ONZF.

Mr, Mrs, Ms _____

Address _____

Email _____ Address _____

Membership Fee.

I researched the Littlewood document in 1990 and found it was Lt. Governor Hobson's "final" English draft of the Treaty of Waitangi that Rev Henry Williams and his son Edward translated into the Tiriti o Waitangi on the 4 February 1840. I also researched Queen Victoria's Royal Charter/ Letters Patent in 2013 and found it was New Zealand's 'true' Founding Document and 'first' Constitution. I have now researched the English Treaty and found it is an 'official' Treaty of Waitangi. My research below is based on the facts available and not speculation and/or circumstantial evidence.

A few months ago I decided to further research the English Treaty of Waitangi and found some interesting facts but some people are very upset with my research into the English Treaty as they say this will give Maori special rights over their fellow New Zealanders but I can see no reason why; both Treaty's gave Britain, "*Sovereignty over all the Islands of New Zealand and tangata Maori the same rights as the people of England*". No more – no less!

Since Rev Robert Maunsell's dairies were burnt in a fire there has been much speculation and/or circumstantial evidence on the English Treaty of Waitangi that was signed and witnessed at Waikato Heads on the 11 and 26 April 1840 and later fully executed with the Royal Seal by W. Hobson, Lieutenant Governor.

Some researchers have stated, a CMS printed copy of the Tiriti o Waitangi was read and discussed at Waikato Heads on the 11 and 26 of April 1840 and the first 5 chiefs at Waikato Heads signed this document before space ran out and an "unofficial" English Treaty, one of 9 compiled by Lt. Governor Hobson's secretary, James Freeman, from James Busby's draft notes was produced and used to hold a further 39 signatures, therefore, the English Treaty is "unofficial".

Lt Governor Hobson had 200 copies printed of the Maori Treaty of Waitangi (Te Tiriti o Waitangi) by the Church Mission Societies (CMS) printer, Rev William Colenso.

Rev Benjamin Ashwell assisted Rev Robert Maunsell in gathering signatures and also witnessed the English Treaty that was signed at Waikato Heads on the 11 April 1840. During my research I could find no documented evidence of the CMS printed Maori copy of the Tiriti o Waitangi being read, discussed or signed at Waikato Heads on the 11 or 26 April 1840.

As can be seen from the English Treaty below, Rev Robert Maunsell and Rev Benjamin Ashwell witnessed the 32 signatures on the English Treaty with, *"The proceeding names have been obtained by us at this station. I embrace all as we can conceive, with the exceptions of two names, the principle men of the Waikato"*. April 11, 1840, Waikato Heads. R. Maunsell, B. Aswell. Thirty two chiefs signed the English Treaty at Waikato Heads on the 11 April 1840 and the two missing names mentioned being the chiefs of Kawhia and Aotea.

The 7 signatures obtained later on the English Treaty by Capt. W L Symonds states, *"Signed before me on April 26th 1840"* and again there is no mention of the CMS printed version being read or discussed.

The English Treaty is witnessed, dated and the location given by Maunsell, Ashwell and Capt. Symonds and is signed and sealed by W. Hobson, Lieutenant Governor, therefore, a fully executed document but there is no date, location, signature or seal by Hobson on the CMS printed copy below, therefore, it has no real status as a legal document. I am sure if Maunsell had used the CMS copy at Waikato Heads he would have made a note of this with the date and location on it as well as asking Ashwell to witness it as he had the English Treaty. It seems Ashwell was not present when the signatures on the CMS printed copy were obtained.

The Treaty of Waitangi consists of 2 parts plus the Consent from the chiefs.

Part 1. The **Preamble** which explains the reason for the treaty and can be used to clarify its meaning if there is any ambiguity in the either treaty.

Part 2. The **3 Articles** or laws which explains that Britain will gain sovereignty over all the Islands of New Zealand and tangata Maori would be given the same rights as the people of England. At this stage Hobson signs and seals the document.

These are the **terms** of the **offer** put to the chiefs by Lt. Governor Hobson.

Part 3. **The Consent** where the chiefs understood the agreed to the offer/terms of the treaty that was "*Done at Waitangi on the 6 February 1840*" and accepted by them all. "*In witness whereof our names or marks are affixed*".

If Hobson had signed below the Consent it would be part of the treaty but as he signed above this part he referred to Maori only and the reason why it is stated, "*The treaty consists of 3 articles/laws*". I believe the Preamble should be part of the Treaty as it explains the articles/laws. If in doubt of its meaning, reference is made to a Preamble of the document.

Maori also say they are the Indigenous People of New Zealand or tangata whenua but all the chiefs signed the treaty as tangata Maori and not tangata whenua as their ancestors knew they were not the Indigenous People of New Zealand.

Some say, "*Done at Waitangi on the 6 February 1840*", which is written at the end of the Consent in both the English Treaty and Tiriti o Waitangi means the English treaty is not "official" because it was not, "*Done at Waitangi on the 6 February 1840*", but the definition of "*Done*" is, "*Used to indicate that the party accepted the terms of an offer*", and as the English Treaties "*terms of an offer*" are exactly the

same as the Tiriti o Waitangi in giving Britain sovereignty over all the Islands of New Zealand and tangata Maori the same rights as the people of England and was signed, witnessed and fully executed by Hobson, it is an "official" Treaty of Waitangi.

All those that signed the Treaty at Waitangi or elsewhere "Consented" to the "*terms of an offer*" Hobson put to them at Waitangi on the 6 February 1840 by consenting to, "*Done at Waitangi on the 6 February 1840*".

Research shows the CMS printed copy and the English Treaty were folded together when despatched to Hobson to be signed and sealed. Some researchers have said Hobson stuck the two documents together with wax before he signed them to make them one document but Hobson had just had a stroke and could only use his left arm so this would have been impossible unless he had someone do it for him but there is no mention of this, so this is once again based on speculation. The two documents were sent to Hobson as two separate documents and they are now two separate documents, therefore, this does not prove that the CMS printed copy of the Tiriti o Waitangi was read, discussed and signed at Waikato Heads on the 11 April 1840. There is no evidence of who stuck them together or who pulled them apart but we do know they are not stuck together when they were sent to Hobson to sign and are not stuck together now.

I also found a very interesting statement in the *New Zealand History* website but once again is only speculation.

The printed copy of the treaty. (CMS copy of the Maori version)

"This copy is most likely an addition to the Waikato-Manukau copy in English that missionary Robert Maunsell received in late March or early April 1840. Maunsell witnessed all five names on the sheet. The chiefs, from Ngāti Pou on the Waikato

River and Ngāti Te Wehi at Whāingaroa (Raglan) may have been visiting Maunsell's mission station at the mouth of the Waikato River".

Some researchers also say the rule of "contra proferentem" makes the English treaty "null and void" but the definition of 'Contra Proferentem Rule' is, "A rule in contract law which states, that any clause considered to be ambiguous should be interpreted against the interests of the party that requested that the clause be included". If there is any ambiguity in the treaty such as the word "kawanatanga" then the Preamble explains this by stating, "All the places of New Zealand which may be given up now or hereafter to the Queen". Sir Apirana Ngata endorsed this when he stated in his book, **The Treaty of Waitangi – An Explanation**, "The chief's placed in the hands of the Queen of England, the Sovereignty and authority to make laws" The Preamble explains, both Treaty's gave Britain, "Sovereignty over all the island of New Zealand and tangata Maori the same rights as the people of England". No more, no less!

As for "forests and fisheries" stated in the English Treaty, the Treaty did not say "Maori" would have blanket possession of forests and fisheries, it said that each individual chief that signed the Treaty would have possession of "their" forests and "their" fisheries if they could prove the forests and fisheries belonged to them under English law. This part of the treaty (Article 2) was not a blanket cover to Maori as a whole, it referred to "their" forests and fisheries of each individual chief that signed the treaty. While the English treaty stated "their fisheries and forests" the Tiriti stated all "their" possessions which would also mean "their forests and fisheries" if they could prove they were "theirs" under English law.

This is exactly what both Treaties said, it's just that the English Treaty mentioned "their" forests and fisheries and the Tiriti said all "their" properties which would include "their

forest and fisheries" if they could prove they were "theirs" under English law.

The problem is, individual tribes do not have to prove the forests and fisheries were "theirs" to the Waitangi Tribunal. If the Government used Queen Victoria's Royal Charter/Letters Patent and not the Treaty, then this would never happen as each individual tribe would have to prove in a court of law the forest and fisheries had not been sold and were still "theirs" under English law.

Most Deeds of Sale to the Crown stated all timber, rivers, lakes minerals etc. were included in the sale and as the seabeds and foreshore were held in the public domain under English law, I don't see how individual chiefs could own the fisheries when Queen Victoria and Hobson did not have the power or authority to give Maori any special rights in the Treaty not already enjoyed by all the people of England.

The Law of Nature states, *"By the law of nature these things are common to mankind –the air, running water, the sea and consequently the shores of the sea"*

– Institutes of Justinian 500AD. This is also part of the Magna Carta.

There is also no mention of *"all the people of New Zealand"* in the English treaty, as in the Maori text, because the treaty was between Queen Victoria and the tangata Maori chiefs, but once Britain gained sovereignty over all the Islands of New Zealand, *"all the people of New Zealand"*, including tangata Maori came under one flag and one law – English Law.

Governor Hobson gave the following instruction to Captain Bunbury when he went South gathering further signatures, ***"The treaty which forms the base of all my proceedings was signed***

*at Waitangi on the 6th 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**".* My emphasis added.

Hobson also made it very clear to all those gathering further signatures, they must fully explain the "**terms**" of the treaty until the chiefs understood them before they were allowed to attach their names or marks.

The Chiefs consented to the "**terms**" of the original document and the "**terms**" in both treaties were, "Britain would obtain sovereignty over all the Islands of New Zealand and Maori would be given the same rights as the people of England" to "their" Estates, "their" forest and fisheries and all "their" property under English law, "the same rights as the people of England". (Articles 1, 2 and 3 in both treaties)

It was the "**terms**" of the treaty Hobson was referring to in the instructions to Capt. Bunbury above.

If we read both treaties and understand them fully this would clarify much of the confusion and distortion by the Waitangi Tribunal. The "**terms**" are exactly the same in both treaties and do not include the "**Five Principles for Crown Action on the Treaty of Waitangi**". These are no more than a fiction dreamt up by Geoffrey Palmer and his mates in Parliament and deprive non-Maori of their lawful rights. England had no racial laws and the Treaty put tangata Maori under the same

laws as the people of England.

My main concern about the English Treaty all previous research has been based on speculation and circumstantial evidence. I have thoroughly researched the English Treaty and there is no mention that the CMS printed copy being read, discussed or signed at Waikato Heads on the 11 April 1840. The English treaty used at Waikato is signed by 39 chiefs, witnessed by Maunsell, Ashwell and Symonds and fully executed by W. Hobson, Lieutenant Governor. The CMS printed copy is not witnessed by Ashwell or Symonds or executed by Hobson.

My research also shows that the English Treaty, while not originally intended to be an "official Treaty" by Hobson, was fully executed by him as an "official Treaty". It may not have been what Hobson wished for, but it was witnessed by authorised officials, dated and the location given before being signed and sealed by Hobson, then added to the "official" list of signatures and the number of treaties gathered.

Both Treaty's put New Zealand under the laws and dependency of New South Wales on the 21 May 1840 until Britain declared sovereignty over all the Islands of New Zealand on the 3 May 1841, Twelve months later Queen Victoria's Royal Charter/Letters Patent, dated the 16 November 1840 separated New Zealand from New South Wales. Queen Victoria's Royal Charter/Letters Patent is completely ignored by most researchers, government historians, the government, the Waitangi Tribunal and Te Papa, our National Museum, which misinforms over 1.5 million visitors of our 'true' history each year.

For full information on Queen Victoria's Royal Charter/Letters Patent, click onto www.onenzfoundation.co.nz, then click on 'Royal Charter' in the right hand column.

Once New Zealand was separated from New South Wales on the 3 May 1841, New Zealand became a British Colony with a Governor and Constitution to form a government to make laws with courts and judges to enforce those laws; irrespective of race, colour or creed, but under the watchful eye of Great Britain.

Queen Victoria's Royal Charter/Letters Patent was the document which 'founded' New Zealand as an independent British Colony with its own Constitution to form a political and justice system on the 3 May 1841, therefore, Queen Victoria's Royal Charter/Letters Patent is New Zealand's 'true' **Founding Document** and 'first' **Constitution** enabling New Zealand to become an Independent British Colony with its own government under one flag and one law irrespective of race, colour or creed.

Summary.

As I stated at the beginning of this article, researchers have stated, "a CMS printed copy of the Tiriti o Waitangi was read and discussed at Waikato Heads on the 11 and 26 of April 1840 and the first 5 chiefs signed this document before space ran out and an "unofficial" English Treaty written by Lt. Governor Hobson's secretary, James Freeman, was compiled from James Busby's draft notes and used to hold a further 32 signatures, therefore, the English Treaty is not official".

From my research, I could find no evidence the CMS printed copy of the Tiriti o Waitangi was ever read, discussed or signed at Waikato Heads on the 11 April 1840 but this is still not to say it was not and we will possibly never know but I cannot see any reason why it really matters if the CMS printed copy was read at Waikato Heads or not as the **"terms"** of both treaties state, *"Done at Waitangi on the 6 February 1840"* is what really matters as both Treaties **"offered"** the same **"terms"**, *"Britain would gain sovereignty over all the Island of New Zealand and Maori would be given the same rights as the people of England"*. At Waitangi, Hobson shook each chiefs hand after they signed the Treaty with the words *"He iwi tahi tatou – We are now one people"*, which was followed by 3 hearty cheers. On the 21 May 1840 when Britain declared sovereignty over all the Island of New Zealand, the Treaty of Waitangi had served its purpose and was filed away were it should have remained.

The Treaty of Waitangi had little impact on the settlers as most were British Subjects but it gave tangata Maori protection of their lands from stronger tribes, stopped cannibalism, gave a purpose to life through Christianity and stopped the senseless fighting for the fun of it and the feasts that followed, but best of all, it gave tangata Maori the same rights as the people of England – British Subjects of the most powerful nation at the time without lifting a finger.

It's a little known fact the chiefs had sold over two thirds of New Zealand before the Treaty was signed but most of this land was confiscated by the government after the Treaty was signed without compensation and returned to the thousands of slaves being released now New Zealand was under English law.

Just twelve months after the Treaty was signed Britain decided

that New Zealand must separate from New South Wales to become an Independent British Colony with a Governor and Constitution to set up a political and justice system under one flag and one law – English Law. Queen Victoria's Royal Charter/Letter Patent; New Zealand's 'true' **Founding Document** and 'first' **Constitution** achieved this on the 3 May 1841, the day we must all celebrate as New Zealand's Independence Day as they did in 1841.

While the Treaty of Waitangi gave Britain sovereignty over all the Islands of New Zealand and tangata Maori the same rights as the people of England, it had nothing to do with setting up our political or justice systems in New Zealand. Queen Victoria's Royal Charter/Letters Patent made New Zealand into an Independent British Colony with its own political and justice systems, therefore, any alleged breaches against the Crown today by Maori can only be breaches of New Zealand's laws and not the Treaty of Waitangi.

We must force Government to recognize and use Queen Victoria's Royal Charter/Letters Patent, our 'true' **Founding Document** and 'first' **Constitution**, a vital part of our history which separated New Zealand from New South Wales and made New Zealand into an Independent British Colony with its own political and justice systems.

While Maori must celebrate Waitangi day as the day they were released from their primitive ways of cannibalism, slavery and senseless fighting; all the people of New Zealand, irrespective of race, colour or creed must celebrate Queen Victoria's Royal Charter/Letters Patent, the day New Zealand became an Independent British Colony with its own political and justice systems.

The 3rd of May is the day all New Zealanders must celebrate as the day New Zealand became an Independent British Colony under one flag and one law.

Over the years there has been much speculation and/or circumstantial evidence surrounding the English Treaty of Waitangi by many researchers and historians and I believe this article has succeeded in sorting out speculation from fact. Some say it will give Maori more power to take our public owned resources, but if we force governments to stop ignoring the Queen Victoria's Royal Charter/Letters Patent and the laws it provided, then we have nothing to worry about.

Finally, at the end of the day, it doesn't matter what Hobson said before, during or after the Treaty was signed by both parties, the only thing that matters is what was written on the treaties that were signed by over 500 chiefs, witnessed and fully executed and sealed by Hobson whether in English or Maori.

As the chiefs Consented to the "***terms offered***" by Lt. Governor Hobson at Waitangi on the 6 February 1840, then they must accept their ancestor's agreed to give Queen Victoria sovereignty over all the Islands of New Zealand and in return, tangata Maori received the same rights as the people of England. They became British Subjects.

It is wrong to use the Treaty of Waitangi to claim against the Crown as both treaties had nothing to do with setting up New

Zealand's political, legislative or justice systems.

If Maori want to claim against the Crown, then they must claim through our justice system set up by Queen Victoria's Royal Charter/Letters Patent dated the 16 November 1840 and not the Treaty of Waitangi as the Treaty of Waitangi only gave Britain sovereignty over all the Islands of New Zealand and tangata Maori the same rights as the people of England under the dependency and laws of New South Wales.

In 1947 New Zealand adopted the Statute of Westminster, which gave New Zealand total control over its domestic and foreign affairs and all the people of New Zealand became New Zealand Citizens with New Zealand Passports under one flag and one law irrespective of race, colour or creed.

From my research based on the documented evidence available, I found the English Treaty is an "official" Treaty of Waitangi.

Independent research by Ross Baker. 31 July 2016. Copyright.

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Further information and documented evidence to support the above can be found in the following books published by the One New Zealand Foundation Inc. P.O. Box 7113, Palmerston North, 4443. The books are \$10-00 each including P & P while stocks last.

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