

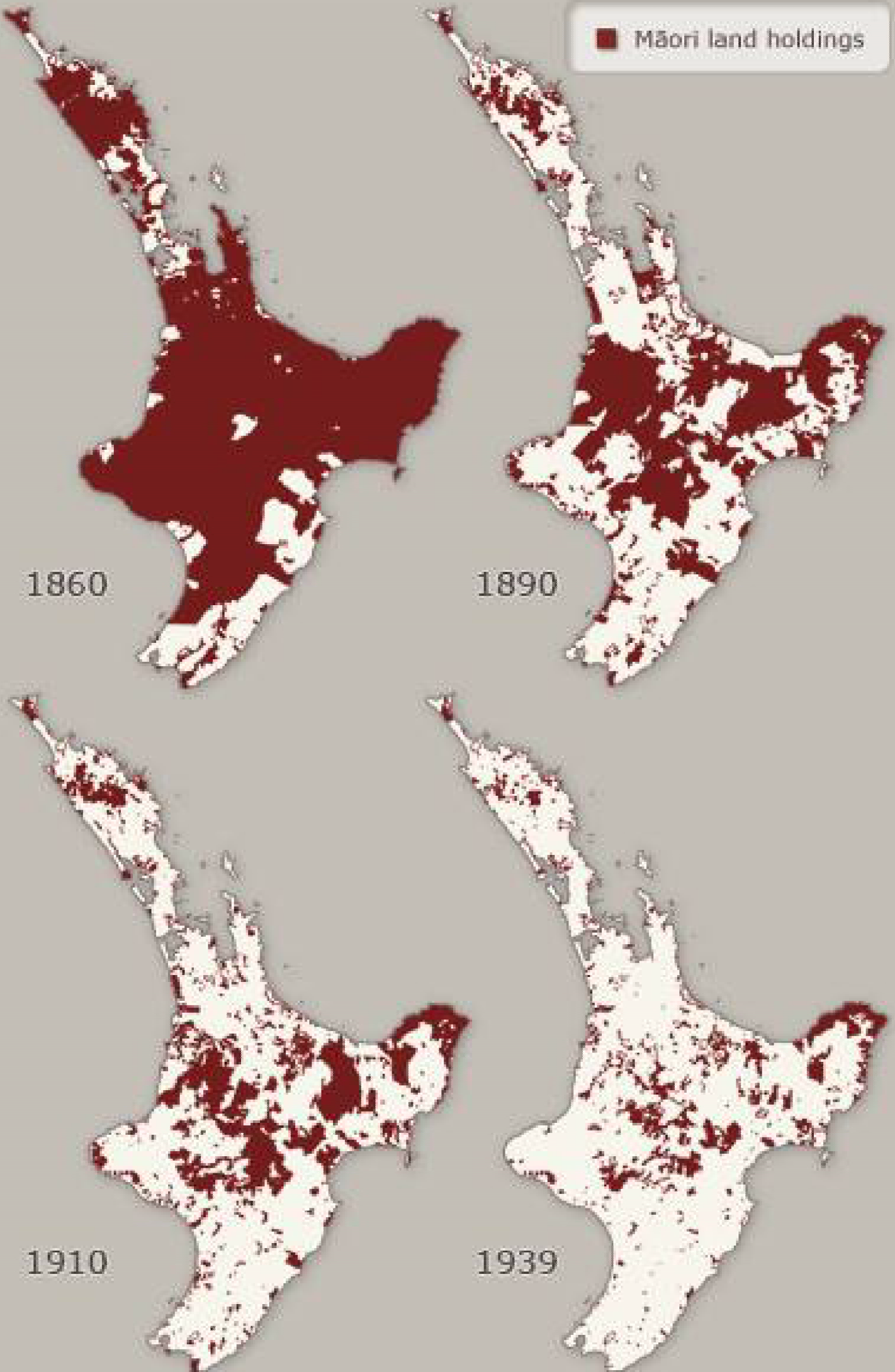
■ Māori land holdings

1860

1890

1910

1939



## New Zealand.



### ANALYSIS.

<p style="text-align: center;">Title.</p> <p>1. Short Title.</p> <p>2. Interpretation.</p> <p>3. Dealings with land in Schedule prohibited.</p> <p style="text-align: center;">Penalty.</p> <p>4. Dealings with land by Natives prohibited.</p>	<p>5. Contracts, &amp;c., in contravention of Act void. Moneys paid not recoverable.</p> <p>6. Trust Commissioner to indorse deeds contravening Act.</p> <p>7. Saving as to rights of Her Majesty to buy land.</p> <p style="text-align: center;">Schedule.</p>
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1884, No. 51.

**Title.** An Act temporarily to prevent Dealings in Native Land by Private Persons within a defined District of the North Island.  
[10th November, 1884.]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

**Short Title.** 1. The Short Title of this Act is "The Native Land Alienation Restriction Act, 1884."

**Interpretation.** 2. In this Act,—  
"Native" means an aboriginal native, and includes a half-caste and his descendants by Natives:  
"Native land" includes all land held or owned by any Native or Natives under any title or in any manner whatever, and also any estate, right, title, or interest of any kind in any such land.

**Dealings with land in Schedule prohibited.** 3. After the coming into operation of this Act, no person shall, either by himself or his agent, directly or indirectly, negotiate for, purchase or acquire, or contract or agree to purchase or acquire, from any Native, or from any person on behalf of any such Native, any Native land within the territory described in the Schedule to this Act.

**Penalty.** Any person committing a breach of this provision shall be liable to a penalty of not less than one hundred pounds and not exceeding five hundred pounds, which may be recovered in a summary way, before any two or more Justices of the Peace, and shall also be liable to imprisonment for any term not exceeding twelve months.

**Dealings with land by Natives prohibited.** 4. No Native shall, after the coming into operation of this Act, except as is hereinafter mentioned, contract or agree with any person or persons, directly or indirectly, for the sale or purchase or acquisition in any manner howsoever of any estate, right, title, or interest of any kind in any Native land within the territory aforesaid, or make, sign,

or execute any instrument for effecting any such sale or purchase or acquisition, or under or by virtue of which the same is or could be carried out.

5. Every contract, agreement, or instrument made, signed, or executed contrary to the provisions of this Act shall be void, and all or any moneys paid, or purporting or agreed to be paid thereunder, shall not be recoverable at law or in equity; and no person shall have any right, claim, or demand under or in respect of any such contract, agreement, or instrument, or any covenant or agreement therein contained or implied.

Contracts, &c., in contravention of Act void.

Moneys paid not recoverable.

6. Whenever, under the provisions of "The Native Lands Frauds Prevention Act, 1881," a Commissioner, to whom an instrument of alienation is presented for his certificate under that Act, is satisfied that such instrument has been made, signed, or executed in contravention of the provisions of this Act, he shall indorse on such instrument a memorandum under his hand to that effect; and no such instrument so indorsed shall be capable of being registered or dealt with under any Act relating to the registration of deeds, or under "The Land Transfer Act, 1870," and its amendments, nor shall any such instrument be of any force or effect for the purpose of making or completing any title, estate, or interest to or in the land mentioned therein.

Trust Commissioner to indorse deeds contravening Act.

7. Nothing in this Act contained shall be held to preclude the Governor from negotiating with the Native owners of any land within the territory aforesaid for the purchase or other acquisition by Her Majesty of any such land they may wish to dispose of, upon such terms and conditions as may be agreed upon between the Governor and such owners.

Saving as to rights of Her Majesty to buy land.

## SCHEDULE.

Schedule.

### NATIVE DISTRICT WHEREIN LAND IS SUBJECT TO THIS ACT.

ALL that area in the Provincial Districts of Auckland, Taranaki, and Wellington, bounded towards the North-west by Te Wharaurua Block from the Aotea Harbour to the Waitetuna River; thence towards the North-east generally by the said Waitetuna River to its intersection by a right line running from Mount Tahuanui over the Teriki Range where the Native track crosses the latter; thence by the said right line to Mount Tahuanui; thence by a right line to Mount Pirongia; thence by a right line to the confluence of the Waipa and the Puniu Rivers, and by the latter river and the Owairaka Stream to its source; thence by a right line to the confluence of the Mangare Stream with the Waikato River; thence by the last-mentioned river to the Waipapa Stream, and by that stream to its source; thence towards the East generally by the Tatua-Whanganata Block to Lake Taupo; thence by a right line across that lake to the mouth of the Tauranga River; thence by that river to its source in the Kaimanawa Range; thence by the summit of the said Kaimanawa Range to the source of the Moawhango River; and thence by that river and the Rangitikei River to the southern boundary-line of the Otairi No. 5 Block; thence towards the South generally by the southern boundary-line of that block and the Otairi No. 2A Block to the Mangapapa Stream; thence by the said Mangapapa Stream and the Turakina River to the southern boundary of the Maungakaretu Block; thence by the southern and south-western boundary-lines of the said Maungakaretu Block to the Wangahau River; thence by the last-mentioned

river and the Heao and the Paratieke Blocks to the Mangawhero River; thence by that river to the Mungakowai Stream, and by that stream to the north-western corner of the Ohineiti Block; thence by the production of the northern boundary line of the last-mentioned block to the Karewarewa Block; thence by that block and the Parihouhou, Aratowaka, and Pukemui Blocks to the Wanganui River; thence towards the South-west generally by the said Wanganui River to the Wangamomona River; thence by the latter river and the Mangare Stream to its source; thence by a line due west to the Taranaki confiscation boundary-line; and thence by that boundary-line to the ocean; and thence towards the West by the ocean and the Actea Harbour to the place of commencement.

Accordingly, a vast number of Chiefs, with a multitude of followers, crowded in from every quarter, and at 12 this day they assembled under the spacious tents, decorated with flags, which had been previously erected at Waitangi by the direction of Captain Niaz, of this ship.

And so on with several other despatches of Lieutenant-Governor Hobson to His Excellency Sir George Gipps, and also to the Secretary of State for the Colonies.

With the foregoing remarks and extracts from Parliamentary documents, we leave these sheets to the scrutiny of all interested inquirers. However curious they may appear now, they will become much more so as time rolls on; and whatever may be the opinions of the present or future generations as to the policy adopted in 1840, it is certain that, without some such agreement between the two races as was determined by "The Treaty of Waitangi," the Queen's authority and government would never have been so peaceably admitted and established in this country.

H. HANSON TURTON.

Wellington, 10th April, 1857.

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## THE NEW ZEALAND CONSTITUTION ACT.

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### ENGLISH VERSION.

"THE NEW ZEALAND CONSTITUTION ACT, 1852."—  
15 and 16 VICTORIA, CAP. 72, SEC. 71.

Her Majesty may cause Laws of Aboriginal Native Inhabitants to be maintained.

Passed 30th of June, 1852.

SECTION 71.—And Whereas it may be expedient that the Laws, Customs, and Usages of the Aboriginal or Native Inhabitants of New Zealand, so far as they are not repugnant to the general principles of Humanity, should for the present be maintained for the Government of themselves, in all their relations to and dealings with each other, and that particular districts should be set apart within which Laws, Customs, or Usages should be so observed. It should be lawful for Her Majesty, by any Letters Patent to be issued under the Great Seal of the United Kingdom from time to time to make Provisions for the purposes aforesaid, any repugnancy of any such Native's Laws, Customs, or Usages, to the Law of England or to in any part thereof, in any wise notwithstanding.