

1880, No. 39.

AN ACT to empower the Governor to Settle Outstanding Questions on the  
West Coast of the North Island of New Zealand.

WEST COAST  
SETTLEMENT (NORTH  
ISLAND).

[1st September, 1880.]

WHEREAS by "The Confiscated Lands Inquiry and Maori Prisoners' Trials Act, 1879," it was provided that the Governor in Council might appoint Commissioners for the purpose of inquiring into all promises and engagements that had been made or were alleged to have been made by or on behalf of the Government of the colony in respect of the matters in the said Act mentioned :

Preamble.

And whereas Commissioners were duly appointed for the purpose aforesaid, and the said Commissioners have made certain reports to the Governor in the matters aforesaid, and it is expedient that the Governor should be empowered to take such steps as may be necessary for the final settlement of the difficulties that exist on the west coast of the North Island :

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

1. The Short Title of this Act is "The West Coast Settlement (North Island) Act, 1880."

## Interpretation.

2. In this Act, if not inconsistent with the context,—

“Confiscated territory” means all that part of the colony described in the First Schedule hereto :

“Native” means any aboriginal Maori, and includes half-castes.

## RESERVES.

Governor empowered to take steps to settle claims.

3. The Governor is hereby empowered in such manner as he may think fit to make a final settlement of every claim or grievance of any nature arising out of any award, promise, or engagement howsoever made, by or on behalf of the Government of the colony, in respect of land situate within the confiscated territory, and, so far as it may be expedient, to do so in accordance with the said reports, and to issue Crown grants in fulfilment of such awards promises and engagements.

Governor in Council may make inalienable reserves.

4. The Governor in Council is hereby empowered to make and set apart reserves for Natives within the confiscated territory, to be inalienable by sale, lease, or other disposition, and to issue Crown grants for the same, subject to such terms, conditions, and limitations as he may think fit.

Also alienable reserves.

Also to make and set apart reserves for the benefit of Natives, to be alienable, but which shall be disposed of under the authority of an Act of the General Assembly to be thereafter passed for regulating such disposal, and not otherwise.

## LAND SALES.

Taranaki and Wellington Land Districts altered and new land district constituted.

5. The Taranaki Land District and the Wellington Land District, as constituted under “The Land Act, 1877,” are hereby altered as follows:—

Such parts of the said land districts as are described in the Second Schedule to this Act shall cease to be parts thereof respectively, and the said parts are hereby constituted a new land district by the name of “The West Coast Land District”:—

Lands not set apart as reserves to be Crown lands.

All lands in the West Coast Land District which have not been heretofore reserved, granted, sold, or disposed of, and which shall not be granted or set aside or made reserves as aforesaid, shall be deemed to be Crown lands; and “The Land Act, 1877,” and “The Land Act 1877 Amendment Act, 1879,” shall be in force in the said district, so far as the same can be applied therein, but subject to the provisions in the next subsection contained :

Powers vested in Commissioner.

There shall be no Land Board for the said West Coast Land District, but within the said district all the powers, functions, and duties vested in a Land Board under the said Acts are hereby vested in the Commissioner of Crown Lands for the said district, who shall exercise and perform the same subject to the approval and direction of the Minister of Lands.

## OFFENCES.

Offences.

6. For the purpose of carrying this Act into effect, the Governor may issue such orders as to him shall seem necessary or fit to preserve the public peace; and any person who shall be guilty of any of the offences following, within the confiscated territory, shall be guilty of a misdemeanour, and on conviction thereof shall be liable at the discretion of the Court to be imprisoned with or without hard labour for any time not exceeding two years, and be bound over to keep the peace for such further time as the Court shall think fit, that is to say,—

(1.) Any person who wilfully and unlawfully obstructs any person authorized by the Governor to do or perform any act or thing in pursuance of this Act, or for the purpose of carrying out the provisions thereof;

- (2.) Any person who wilfully and unlawfully cuts down, breaks, removes, or destroys any building, bridge, fence, survey pegs or stations, or other erection whereby the public peace may be endangered :
- (3.) Any person who wilfully and unlawfully digs up, ploughs, breaks, or disturbs the surface of any land, whereby the lawful occupation thereof is obstructed or impeded :
- (4.) Any person who unlawfully erects any fence or building on any land, or commits thereon any other act whereby the lawful occupation of such land may be obstructed or impeded :
- (5.) Any person who wilfully and unlawfully digs up, breaks, removes, or destroys the surface of any road which the Governor, by notice in the *Gazette*, has declared to be a highway, or places or causes to be placed thereon any obstruction, with a view of hindering or impeding the free use of such road or highway wholly or in part by Her Majesty's subjects :
- (6.) Any persons who assemble together, armed or unarmed, or with or without tools or implements, for any of the purposes or objects aforesaid, or are present at the commission of any such offences or acts as aforesaid for the purpose of aiding, assisting, or countenancing the commission of any such acts or offences as aforesaid, or, being present, may reasonably be suspected to be present for all or any of such purposes or objects.

7. Every such person who commits or who shall be found committing any one of the above-mentioned offences may be arrested by any one of the Armed Constabulary without warrant, but shall be taken as soon as conveniently may be before a Justice of the Peace and charged with the offence.

Persons may be arrested without warrant.

8. The several Natives who have been arrested, or shall hereafter be arrested, by virtue of the provisions of "The Maori Prisoners Detention Act, 1880," shall be deemed and taken to be in custody under the provisions of "The Maori Prisoners Act, 1880," and shall be detained accordingly.

Natives in custody to be detained.

9. Sections six and seven of this Act shall continue in force for three years from the end of the present session of Parliament, and no longer.

Duration of sections 6 and 7 of Act.

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## SCHEDULES.

Schedules.

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### FIRST SCHEDULE.

#### DESCRIPTION OF THE "CONFISCATED TERRITORY."

ALL that part of the Colony of New Zealand comprised within the following boundaries, that is to say: Commencing at the White Cliffs, and thence by a line running due East, 20 miles; thence by a line running in a South-westerly direction to the Ngaire Swamp; thence by a line known as the "Confiscated Line" to the point where it strikes the Waitotara River, and by that river to the sea.

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### SECOND SCHEDULE.

#### DESCRIPTION OF THE "WEST COAST LAND DISTRICT."

ALL that part of the confiscated territory comprised within the following boundaries, that is to say: Commencing at the mouth of the Stoney River, and ascending that river to its source; thence by a right line to the summit of

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Mount Egmont; thence by a right line to the source of the Waingongoro River, and descending that river to the south-western corner of Block X., Ngaire Survey District; thence by the southern boundary of that block to the line known as the "Confiscated Line," and thence by that line to the point where it strikes the Waitotara River, and by that river to the sea.

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