



Ngaitahu Reference Validation Act 1868

1868

- Citation:** 32 V. No 32
Date of Assent: 16 October, 1868
Commencement: Date of Assent
- Repeal:** Repealed 1878, No 28
Amendments: –
Type of Legislation: Public
Subject: Validation
Maori Land Court: Structures & Jurisdiction
- Relevant Sections:** s2: Validates Order of Reference of 28 April, 1868, as if made by the Governor, deems “The Ngaitahu Deed” to be a valid agreement for extinguishment of Native title, deems NLCt orders to be final extinguishment of Native title to all lands within delineated boundaries, but does not extinguish Native claims in respect of Government officer promises relating to schools, hospitals and other advantages.
- Commentary:** This Act was a validation of an Order of Reference made concerning “The Ngaitahu Deed”. Section 83 of the Native Lands Act 1865 provided that agreements of cession when completed could be referred by the Governor to the NLCt for investigation of title. In the case of the Ngai Tahu Block purchases an Order of Reference was signed by a member of the Executive Council. There were doubts as to the “technical sufficiency” of this Order. There was a protest by Mantel in the House as he had information that a Maori claim to the Kaitorete Block had not been placed on the Order of Reference and that an appeal to Supreme Court was planned regarding this claim. By validating the Order of Reference the Act uphold’s Judge Fenton’s award on Kaiapoi in the Native Land Court.
- Cross Reference:** NZPD vol 3 (1868) 403
NZPD vol 4 (1868) 151, 185 - 186
NZPD vol 25 (1877) 523
AJHR (1876) G - 7, G - 7a, G - 7b
(*Petition of Ngaitahu*)
AJHR (1882) I - 2 p.33
(*Native Affairs Committee*)

Cross Reference continued over page



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AJHR (1883) Sess II I - 2 pp.3 - 4
(*Native Affairs Committee*)

AJHR (1888) G - 1 (*Middle Island Land Question*),
I - 8 p.27 (*Middle Island Native Claims*)

Evison H (ed) *The Treaty of Waitangi and the Ngai Tahu Claim*
(Ngai Tahu Maori Trust Board, Christchurch, 1988) 10.