



Mohaka and Waikare Districts Act 1870

1870

- Citation:** 33 & 34 V. No 60
Date of Assent: 12 September, 1870
Commencement: Date of Assent
- Repeal:** Repealed 1878, No 28
Amendments: –
Type of Legislation: Public
Subject: Confiscated Lands
Maori Land Court: Structures & Jurisdiction
Reserved Land
Fisheries
- Relevant Sections:**
- s2: Agreement between Government and claimants concerning certain land confiscated under the New Zealand Settlements Act 1863 declared binding.
 - s3: Surveys of the land.
 - s4: Some land to remain confiscated and vested in the Crown.
 - s5: Remainder of land to be granted in fee-simple title to claimants subject to restrictions on alienation. On death of persons named in Crown Grant, NLCt to have jurisdiction as to succession.
 - s6: Whakaare Peninsula to be a landing place and fishing ground reserve.
- Commentary:** Land in the northern Hawkes Bay (Mohaka and Waikare) was confiscated under the New Zealand Settlements Act 1863. At the time an agreement was entered into with “loyal claimants to land” in the district for the settlement of their claims to land in the district. This Act declares the agreement to be binding. Certain portions of the land were to be vested in the Crown, while the residue was to be granted to the claimants in fee simple subject to certain restrictions on alienation. The Whakaare Peninsula was reserved as a landing place for all peoples and as a fishing ground for persons entitled to any part of the Mohaka/Waikare district. By validating agreements with “loyal claimants” arising out of confiscations this Act shows one of the many, long running difficulties caused for the Government by the confiscation policy. Sections 7 and 8 of the Native Land Acts Amendment Act 1881 enable the Governor to issue grants in favour of the persons who are entitled to the residue of the said lands. A petition in 1882 said that the Crown grants had not been issued, however the Native Affairs Committee replied that a July 1882 hearing of the Native Land Court had awarded the grants.

**Mohaka and Waikare Districts Act 1870** *continued*

Cross Reference: NZPD vol 9 (1870) 409
AJHR (1882) I - 2 p.32
(Native Affairs Committee)
AJHR (1888) I - 3c
(Native Affairs Committee)
AJHR (1891) Sess II G - 1 p.XIII *(Rees Commission)*,
I - 3 p.5 *(Native Affairs Committee)*.