



## Government Native Land Purchases Act 1877

1877

- Citation:** 41 V. No 30
- Date of Assent:** 8 December, 1877
- Commencement:** Date of Assent
- Repeal:** Repealed 1892, No 24
- Amendments:** **1878, No 41:** Gives Crown the right to expel intruders on native lands under negotiation other than the Native owners and occupiers. Authorises the Governor to issue Crown Grants for Native reserves made under land purchase agreements.
- Type of Legislation:** Public
- Subject:** Alienation of Maori Land
- Relevant Sections:**
- s2: Protection for incomplete purchases, or negotiations for purchase, on behalf of the Crown of Native land in the North Island.
  - s3: Gazette notification of prior rights of the Crown in described lands.
  - s4: District Land Registrar to lodge caveats on behalf of Her Majesty.
  - s5: No repeal of other Acts restraining purchase of Native lands.
  - s6: Native Minister to discontinue purchase of Native lands on commission.
- Commentary:** This Act serves two main purposes; the protection of Crown interests in sales under negotiation, and ending land purchase by commission agents. If negotiations have commenced for a land sale, the Governor, by Proclamation, can forbid other parties from entering into negotiations with the owners, thus giving the Crown the right of pre-emption. This was because, in the past, the Government had commenced negotiations (and often paid a deposit) and then the Maori owners had been offered a better price and sold to someone else. If negotiations between the Government and the owners should cease then a Proclamation would be issued so that others may then negotiate. This system meant that the Government could avoid paying high prices for land because once they had got one owner to accept a deposit all the owners were restricted to selling only to the Government. The land purchase agents were paid on Commission and for several years there had been complaints that this system was not effective because the agents often bought land on the basis of quantity rather than quality which meant that the land was often not suitable for settlement. Commission agents, also, as they were not Government officers, often made land purchases themselves as private buyers.

*Commentary and Cross Reference continued over page*

**Government Native Land Purchases Act 1877** *continued*

The Government proposed that land purchases should now be carried out by responsible Government officers. The Minister for Native Affairs, Sheehan, also said that this Act was the beginning of a new policy that would eventually see the Government withdraw from the business of purchasing Maori land. It does not appear that this policy was carried out because by the time the Act was amended in 1878 4½ million acres were under Proclamation.

**Cross Reference:** NZPD vol 27 (1877) 235 - 237, 514, 518 - 520, 600  
NZPD vol 30 (1878) 896, 947 - 949, 966 - 968, 1160 - 1161, 1197 - 1203  
AJHR (1878) C - 5  
(*Government Native Land Purchase Act 1877*).