



## Maori Real Estate Management Act Amendment Act 1877

1877

- Citation:** 41 V. No 43  
**Date of Assent:** 10 December, 1877  
**Commencement:** Date of Assent
- Repeal:** Repealed 1 July, 1887 by 1886, No 24  
**Amendments:** 1883, No 20: See separate record.  
s15 repeals s10.
- Type of Legislation:** Public  
**Subject:** Govt Admin Specific to Maori/Maori Land  
Maori Land Court: Structures & Jurisdiction  
Public/Native/Maori Trustee  
Validation  
Alienation of Maori Land
- Relevant Sections:** s2: Trustees of infant Maori to have the power to sell land to the Crown.  
s3: Trustees may agree to a partition.  
s4: Proceeds may be used in purchase of other lands with consent of NLCt Judge.  
s5: Proceeds may be invested in Government securities.  
s6: No sale or partition to be made without consent of NLCt Judge.  
s7: All NLCt Judges to have jurisdiction for purposes of this Act.  
Power to make regulations.  
s8: All previous contracts made between trustees and the Crown shall be deemed as valid. Any incomplete transactions shall be completed under this Act but no consent by NLCt under s6 required.  
s9: Any payments made by the Crown to guardians according to Maori customs for the purchase of interests of minors shall be deemed to have been lawfully made.  
s10: Act applies only to purchases on behalf of the Crown where payments were made before passing of this Act.
- Commentary:** When minors were named on titles to land, or had inherited, the land could not be sold because a minor could not consent to the sale and every person named on the title was required to agree. Trustees appointed under the Maori Real Estate Management Act 1867 had only had power to lease the land, so this amendment retrospectively gives them the power to sell to the Crown, or join in a partition on behalf of the minor with the consent of a Judge of the Native Land Court. The funds from sales are to be used to purchase

*Commentary and Cross Reference continued over page*



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other lands or invested in Government Securities.

Sheehan said during the Debates "The particular Bill now before us proposes to get over a serious difficulty in connection with the completion of our land purchases in the North Island".

Note that while *s10* is repealed in 1883, the Native Land Act Amendment Act 1878 (No 2) *s8* provided that trustees could sell to private persons as well as the Crown.

**Cross Reference:** NZPD vol 27 (1877) 236 - 237, 513 - 514, 668 - 670

AJHR (1877) I - 3 p.51  
(*Native Affairs Committee*).