



Native Land Alienation Restriction Act 1884

1884

Citation: 48 V. No 51

Date of Assent: 10 November, 1884

Commencement: Date of Assent

Repeal: Repealed 1886, No 23

Amendments: –

Type of Legislation: Public

Subject: Alienation of Maori Land
Public Works

Relevant Sections: s2: Definition of Native and Native Land.

s3: After the passing of this Act no person shall negotiate for, purchase etc. any Native land within the defined district from any Native. Penalty for breach.

s4: No Native may make any dealing with Native Land within the defined district.

s7: Nothing in this Act to preclude the Crown from negotiating with Native owners for the purchase of their land.

Schedule: Contains description of the defined district.

Commentary: The Act prohibits private land dealings with Maori in most of the central North Island. This was the area for the proposed route of the North Island Main Trunk railway and the primary purpose of the Act was to resume Crown pre-emption and thus stop land speculators obtaining the land before the Crown could. The area in the schedule is over 4 million acres so much more land is tied up than was needed for the railway. The Government expressed the expectation that Maori would give them good terms for the land in view of the supposed benefits to be gained from having a railway through the land. The Bill originally contained provisions for a new system of land administration whereby Maori could agree to put their lands under the administration of the Government with half the proceeds of the rents going to the owners, and half for roads etc. and administration. This was strongly opposed by the Maori members with Wi Pere saying that Maori Committees and Land Boards should be set up to administer lands rather than Government administration. Chief Wahanui had also been allowed to speak before the House and the Legislative Council asking for the power to control his lands through Committees. In order to pass the Bill quickly, so that land required for the railway could be secured, the Government

Commentary and Cross Reference continued over page



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dropped the land administration provisions. The Legislative Council amended the Bill to allow for Maori Committees, to which the House of Representatives objected and the amendments were not insisted on by the Legislative Council. In an effort to get the Government to accept the Legislative Council amendments, however, Wi Pere made a long speech in their support and said that he would not stop speaking until the Premier agreed to them. He was unsuccessful.

Cross Reference: NZPD vol 50 (1884) 312 - 326, 406 - 407, 427, 431 - 438, 478 - 489, 554

AJHR (1885) I - 2b p.8

(*Native Affairs Committee – Report on Native Land Disposition Bill*)

AJHR (1888) G - 2 pp.3, 5

(*Native Land Purchases in the North Island*)

AJHR (1891) Sess I C - 8

(*Land Acquired for Settlement Along North Island Main Trunk Railway Line*)

AJHR (1894) G - 3 pp.10 - 11

(*Lands Purchased and Leased from Natives in North Island*)

Ward A A *Show of Justice*

(AUP, Canberra, 1974) 286 - 287.