



Urewera District Native Reserve Act 1896

1896

Citation: 60 V. No 27
Date of Assent: 12 October, 1896
Commencement: Date of Assent

Repeal: Repealed 11 February, 1922 by 1921-22, No 55

Amendments: 1900, No 66: See separate record.

1907, No 76: See separate record.

see ss7 - 8.

1908, No 253: See separate record.

s20 causes s39 Native Land Court Act 1894 to apply to orders made under ss8 - 10 this Act.

s21 validates appointments of Committees under 1896 Act.

s23 specifies that s8 Maori Land Settlement Act 1905 shall apply to land in the Urewera district.

1909, No 24.

1910, No 31(Local).

Type of Legislation: Public

Subject: Reserved Land

Maori Land Court: Structures & Jurisdiction

Status of Land

Public Works

Relevant Sections: s2: Urewera District declared a Native reserve subject to the provisions of this Act.

s3: Neither the Natives Reserves Act 1882 nor the Native Land Court Act 1894 shall have any operation within this district unless expressly provided for.

s4: 7 people to be appointed Commissioners – 2 European and remainder from Tuhoe tribe.

s6: Commissioners to divide district into blocks and investigate the ownership of each block using hapu boundaries as far as possible.

s7: Ownership to be determined on a sketch-plan, the cost of which is to be paid by the Crown.

s8: Commissioners to make orders in respect of every block including the names of the owners (grouping families together), the relative shares to which each family is entitled and the relative shares to which each member of the family is entitled.

s10: Person aggrieved may appeal to the Minister of Native Affairs who may confirm or modify any order.

Relevant Sections continued over page



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s12: Commissioners' orders may be sent by Governor in Council to NLCt (instead of the Minister of Native Affairs) to be confirmed.

s13: Particulars to be recorded on certificates of ownership.

s14: Governor may confer jurisdiction on NLCt to determine succession claims or for any specific purpose.

s15: Orders of the NLCt under *s14* may be registered as a certificate of ownership under this Act.

ss16 - 20: Local and General Committees to deal with the internal affairs of the blocks.

s21: General Committee has power to alienate any portion of the district to the Crown, including cession for mining purposes.

s22: Roads and landing-places may be laid out and vested in the Crown.

s23: Governor may take land under the Public Works Act 1894 for accommodation houses and camping grounds, not exceeding 400 acres except with the consent of the General Committee.

s24: Governor may make regulations.

First Schedule: Contains description of the District.

Second Schedule: Contains a letter from Richard Seddon (Premier) to the Tuhoe people.

Commentary: The Preamble says that this Act was passed because "it is desirable in the interests of the Native race that the Native ownership of the Native Lands constituting the Urewera District should be ascertained in such a manner, not inconsistent with native customs and usages, as will meet the views of the Native owners generally and the equities of each particular case, and also that provision should be made for the local government of the district ". The Act was to give effect to promises made by the Premier (Seddon) at a meeting with Tuhoe, as set out in a written memorandum which is appended to the Bill. In introducing the Bill, Carroll said that it would affect about 650 000 acres, all of which had been ascertained as not fit for settlement. For this reason the Government was willing to allow the owners to have the land preserved to them and to have a certain amount of local self-government. The Crown had wanted to obtain access to this land as a route between the Bay of Plenty and the East Coast (and it was also suspected that gold might be found) but it had not been able to do so because Tuhoe were not willing to let their land go through the Native Land Court. They saw the Court as a first step

Commentary and Cross Reference continued next page



towards taxing the land and then purchasing it. Instead, a special Commission is established (with a Tuhoie majority) to investigate title and to roughly divide the land on a hapu basis. Provisions are made for the election of management Committees. The Crown has the power to take land for roads, accommodation sites and grazing sites for stock drivers from the East Coast and although the Act is to reserve the land under Tuhoie control, section 21 obviously means the Crown hopes to be able to purchase land in the future. The Bill was seen as a new method of Maori land administration, in line with the wishes of the owners, and was supported by all Maori members except Heke, who warned against the power to make regulations. Although this system of administration is nominally outside the Native Land Court, sections 12, 14 and 15 do give the Court some jurisdiction, and section 14 in particular leaves open the question of how wide that jurisdiction could be.

Cross Reference: NZPD vol 96 (1896) 157 - 173, 187 - 196, 261 - 263

AJHR (1902) G - 6
(Report of Commissioners)

AJHR (1903) G - 6
(Commissioners' Orders)

AJHR (1907) G - 4, G - 4a
(Urewera District Native Reserves)

AJHR (1908) G - 1a
(Native Land Commission)

Williams J *Politics of the New Zealand Maori*
(AUP, Auckland, 1977 reprint) 91 - 98.