

Tauranga District Lands Act 1867

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An Act to validate certain Proceedings relating to lands in the Tauranga District.

Preamble.

Whereas by an Order in Council made the eighteenth day of May one thousand eight hundred and sixty-five and therein referred to as a proclamation it was declared that all the lands of the tribe Ngaiterangi described in the Schedule thereto being the lands described in the Schedule to this Act should be a district within the provisions of "The New Zealand Settlements Act 1863" and should be designated by the name mentioned in such Schedule and it was declared that the said lands were required for the purposes of the said Act and ordered that the said lands should be and the same were thereby set apart as sites for settlement and colonization agreeably to the provisions of the said Act And it was expressed to be ordered that in accordance with the promise made by His Excellency the Governor at Tauranga on the sixth day of August one thousand eight hundred and sixty-four three-fourths in quantity of the said lands should be set apart for such persons of the tribe Ngaiterangi as should be

determined by the Governor after due inquiry should have been made And whereas pursuant to the terms of the said Order in Council inquiry has been made on behalf of the Crown by officers thereunto appointed and various arrangements have been entered into with persons of the said tribe concerning portions of the said lands And whereas questions have arisen as to the effect of the said Order in Council and as to the validity of the said arrangements and it is expedient that the same should be carried out and that the estates and interests of the Crown under the said Order in Council and of persons claiming under such arrangements should be confirmed

Be it therefore enacted by the General Assembly of New Zealand in Parliament assembled and by authority of the same as follows—

1 Short Title.

The Short Title of this Act shall be “The Tauranga District Lands Act 1867.”

2 Grants &c. of land comprised in Schedule to Act validated.

All grants awards contracts or agreements of or concerning any of the land described in the Schedule to this Act made or purporting to have been made pursuant to and in accordance with the terms of the said Order in Council of the eighteenth day of May one thousand eight hundred and sixty-five and all grants awards contracts or agreements of or concerning any of the said lands hereafter to be made or entered into by the Governor or by any person or persons authorized by the Governor in that behalf which shall be consistent with the terms of the said Order in Council are hereby declared to have been and to be absolutely valid and none of them shall be called in question by reason of any uncertainty in the said Order in Council or of any omission or defect or departure of or from any of the forms matters or things provided by “The New Zealand Settlements Act 1863” “The New Zealand Settlements Amendment and Continuance Act 1865” and “The New Zealand Settlements Acts Amendment Act 1866” or either of the said Acts and it is hereby declared that notwithstanding anything in the said Order in Council to the contrary the whole of the lands specified in the Schedule to the said Order in Council or in the Schedule hereto were by the said Order in Council duly and effectually declared to be a District within the provisions of “The New Zealand Settlements Act 1863” and that the whole of the said land was duly and effectually set apart reserved and taken under the said Act as sites for settlements for colonization and was duly and effectually declared to be required for the purposes of the said Act and to be subject to the provisions thereof.

3 Construction of Order in Council.

For the purposes of this Act the words “due inquiry” in the said Order in Council shall be deemed and taken to extend to inquiries made and carried through by persons thereunto appointed by the Governor.

4 Land comprised in Order in Council.

The lands described in the Schedule to this Act shall be taken to be the lands comprised in or defined by the said Order in Council.

Schedule
Tauranga District

ALL that land estimated to contain two hundred and fourteen thousand acres known as the Tauranga Block Bounded on the north-east by the sea from the mouth of Wairakei Creek to Ngakuri-a-whare Point on the south-east by a line bearing south forty-five degrees west (true) sixteen miles thence on the south-west by a line bearing north forty-five degrees west (true) to the summit or watershed of the dividing range of hills between the East Coast and the Thames Valley and thence following the said watershed northward to the summit of the Aroha Mountain and on the north-west by a straight line from the summit of the Aroha Mountain to Ngakuri-a-whare Point.

Together with the Island of Tuhua or Mayor Island and such portions of Motiti or Flat Island as shall be adjudged to belong to the Ngaiterangi tribe or to individual members thereof.