

## CHRONOLOGY FROM 1830s TO 1990s

DATE	EVENT, INCIDENT, POLICY, STATUTE, OUTCOME
1830s	Formation of New Zealand Company, London (Edward Gibbon Wakefield, visionary and Director of Company).
1839	New Zealand Company negotiates purchases from chiefs at Kapiti Island, Wellington and Queen Charlotte Sound (William Wakefield, Principal Agent); establishment of the Company's Wellington settlement. Company enters into contractual obligations through Deeds of Purchase, to set aside tribal occupation lands plus one tenth of all purchased lands as reserves in perpetuity for the vendor chiefs and their whanaunga; the latter are to be known as the Native Tenths Reserves. At least 300,000 acres should have been set aside as Tenths Reserves in Te Tau Ihu.
1840	(May and June) Treaty of Waitangi signed at D'Urville Island, Queen Charlotte Sound, Port Underwood by chiefs mainly of Ngati Koata, Te Atiawa and Ngati Toa, and 1 Rangitane chief.
1841	Crown takes over administration of the New Zealand Company's Native Reserves.
1841	NZ Company forms its second settlement in Nelson, intended to be 221,100 acres (Arthur Wakefield, Resident Agent). Surveys held throughout the Nelson Provincial region; Wairau and West Coast believed by the Company to have been included in the 1839 purchases - later refuted by Ngati Toa.
1842	April: Ballot for Nelson Town sections. Creation of Nelson Town Tenths Reserves of 100 acres (i.e. 1/11 of total – represents a deficit of 10 acres). August: Ballot for Suburban sections. Creation of Motueka Suburban Tenths Reserves of 5,000 acres (1/11 of total – represents a deficit of 500 acres). No Rural sections ever set aside as Tenths Reserves – represents a deficit of at least 10,000 acres.
1842	November: Skirmish at Motupipi re illegal squatting on lands which had not been surveyed or allocated by the Company's ballot; objector, Te Kawatiri of Ngati Rarua, illegally detained and fined by Company officials and Crown's Police Magistrate.
1843	June: Wairau Incident; Arthur Wakefield and 21 other Europeans and 4 (or 9) Maori killed; huge uproar in Company's Wellington and Nelson settlements .
1844	Governor FitzRoy exonerates Te Rauparaha of any blame re Wairau; FitzRoy is pilloried by NZ Company settlers.
1844-45	The Spain Commission's Nelson Hearings: Validates William Wakefield's 1839 purchases, but decrees that Wairau has not been purchased; Nelson Settlement reduced to 151,000 acres; one-tenth (15,100 acres) to be reserved for Maori; Creates Motueka Occupation Reserves and establishes principles for other Occupation Reserves, but does not apply those principles to the Nelson Town habitation/occupation areas. Despite Spain's Order that tangata whenua chiefs were entitled to one-tenth of the 151,000 acres as Tenths Reserves, the then balloted acreage of 100 acres of Nelson Town and 5,000 acres of Motueka Tenths Reserves was never increased.
1844-48	Motueka chiefs enter into leasing arrangements with European settlers.
1845	Paremata Te Wahapiro of Ngati Tama disputes boundaries between Wakapuaka Block and NZ Company's purchase area.
1846	July: Kidnap and internment without trial of Te Rauparaha by Governor George Grey; held as ransom until younger Ngati Toa chiefs agree to the sale to the Crown/NZ Company of the Wairau and Porirua districts.
1847	Wairau "Purchase": reserves set aside amount to c. 118,000 acres – far short of 1/10 of the total area purchased. None of these reserves were designated as Tenths Reserves. These reserves are soon wrested from Ngati Toa ownership through the Waipounamu Purchase procedures.
1847	Wi Katene Te Puoho disputes boundaries between Wakapuaka Block and NZ Company's purchase area.
1847	Surveys of Golden Bay Occupation Reserves undertaken; many of the reserves are poor quality lands of low economic value.
1847	Remodelling of the Nelson Settlement 47 acres of Nelson Town Tenths Reserves are removed from the Native Reserve Trust estate without compensation, and returned to the Company for sale to settlers.
1850	Waitohi Purchase: Te Atiawa families are relocated to Waikawa; many terms of the purchase not honoured; no endowment reserves akin to the Tenths Reserves set aside.
1850	The NZ Company is bankrupt: Company's assets and responsibilities transfer to the Crown.

- 1852 Pakawau Purchase (western Golden Bay) by the Crown: only small Occupation Reserves set aside; no endowment reserves akin to the Tenth's Reserves are set aside.
- 1853-60 Waipounamu Purchases, including Kaikoura (1859) and Arahura (1860) Purchases: only Occupation Reserves are set aside in Te Tau Ihu; no endowment reserves akin to Tenth's Reserves are granted.
- 1853 Passing of the Constitution Act; creation of Provincial Governments.
- 1853 Whakarewa "thefts" – 918 acres taken without compensation from the Motueka Tenth's and Occupation Reserves and granted to the Anglican Church for the Whakarewa School.
- 1856 NZ Native Reserves Act 1856:  
Commissioners to administer Tenth's Reserves and any Occupation Reserves which Native owners wish to be so administered. 21-year leases permitted. Owners of Occupation Reserves later discover that once committed to being administered by the Commissioners, their lands are trapped forever within that administrative regime.
- 1864 Native Reserves Fund established from rents of Tenth's Reserves: monies to be used for "benefit to Maori" at the discretion of Commissioners of Native Reserves.
- 1865 Creation of the Native Land Court  
Native Land cannot be inherited except through a Court investigation, which automatically extinguishes the Native title in favour of fee-simple title;  
Maximum of ten owners permitted on some of the titles created; individualisation of title encouraged.
- 1868 Goldfields Act and amendments: overrides protections of Native titles; leads to effective alienation of Native Titles from occupation and use by the Native owners of lands designated for goldfield development
- 1869 Commission of Inquiry (Domett, Chairman) into Religious, Charitable and Educational Trusts, including the Whakarewa School Trust: Commission has no authority to restore Whakarewa lands to Maori ownership.
- 1881 Ngatitōa Royal Commission. £5,200 paid in lieu of unrequited promise of 200 acres each promised to 26 Ngati Toa chiefs as reserves from the 1853 Wairau/Porirua purchases.
- 1882 Native Reserves Act 1882:  
Public Trustee replaces Commissioners as administrator of Native Reserve lands.  
Longer leases (30 and 63-year) able to be approved.
- 1883 First applications for succession to Original Native Title lands of Te Tau Ihu come before the Native Land Court for the Te Tai Tapu Block, Wakapuaka Block and the Rangitoto (D'Urville Island) Block. Other succession cases follow – for Occupation Reserves throughout the region. Many Court decisions made which have unfairly extinguished the interests of entitled successors.
- 1885 Kenrick Commission of Inquiry into aspects of Native Reserve land administration and ownership:  
Rejects all submissions of Maori owners; favours submissions of lessees.  
Refuses to countenance return of Maori lands from lessees to owners.
- 1887 Westland and Nelson Native Reserves Act 1887:  
Rights of renewal in perpetuity of leases of Native Reserve lands.  
21 year rent review periods as a standard term for all leases.
- 1892-93 Native Land Court Inquiry into ownership of the Nelson and Motueka Tenth's Reserves:  
Claims of Ngati Kuia, Rangitane, and Ngati Toa are rejected.  
Koata, Rarua, Tama and Te Atiawa deemed to be the original iwi owners.  
254 chiefs of Atiawa, Koata, Rarua and Tama identified as the original owners of all of the Nelson and Motueka Tenth's Reserves, regardless of the location of their particular papakainga.
- 1895 Native Reserves Amendment Act 1895: Maori forbidden to lease their Occupation Reserves, even short-term; all land dealings to be executed by the Public Trustee.
- 1897 First distribution of income from the Tenth's Reserves as individual dividends: 25 – 50% of income still retained, in the South Island Tenth's Benefit Fund, for social welfare purposes, paid out at the discretion of the Public Trustee.
- 1905 Prendergast Commission of Inquiry into Whakarewa and other Church Trusts: Commission has no authority to restore Whakarewa lands to Maori ownership.

- 1920-21 Native Trust Office created: replaces Public Trustee as administrator of Native Reserves.
- 1930 Native Trustee Act 1930: The Beneficial "Owners" of Native Reserve lands can now rent lands in which they have an interest but only for short-term leases; only non-owners can hold leases with perpetual rights of renewal.
- 1932 Secretary of Native Affairs is appointed as the Native Trustee.
- 1934 Royal Commission on Native Affairs: criticises conflicts of interest of the roles of Secretary of Maori Affairs and Maori Trustee being vested in the same person - situation is not changed until the 1990s.
- 1948 Myers Commission of Inquiry: finds that valuations for rent reviews are being made on wrong basis, to the detriment of the Maori owners.
- 1953 Maori Trustee Act 1953:  
Further entrenches the dual offices of Secretary and Maori Trustee. Act also creates "uneconomic interests" whereby small Native land interests are compulsorily transferred to Maori Trustee. Over time Maori Trustee can thereby accumulate sufficient individual "uneconomic interests" in a particular land block to acquire a majority shareholding and so force the sale of all of the residual interests in the block, including the remaining "economic interests".
- 1955 Maori Reserve Land Act 1955:  
Extends provisions regarding "uneconomic interests" to Maori Reserve lands.  
Rent levels at each 21-year rent review set by the statute at 4% of Unimproved Value for "urban" and 5% for "rural" lands.  
348 beneficial owners of Nelson and Motueka Tenth's Reserves compulsorily stripped of their "uneconomic interests".
- 1961 Hunn Report: makes many damaging recommendations, some of which were captured in the 1967 Act
- 1962 Maori Trustee takes over from Maori Land Court powers to determine compensation to Maori owners for land taken under the Public Works Act further conflicts of interest in the multiple roles of the Maori Trustee.
- 1967 Maori Affairs Amendment Act 1967:  
Creates spurious concept of individualisation whereby interests of all beneficiaries of a Native Tenth's Reserve land block could be alienated by a single beneficiary's decision to sell; interests (and wishes) of all other owners are ignored.  
1,145 acres of Nelson and Motueka Tenth's Reserves and 162 acres of Occupation Reserves are sold under this Act.  
Huge outcry from beneficial owners of Native Reserve lands throughout New Zealand.
- 1974 Sheehan Commission of Inquiry into Native Reserve Lands:  
Convened in eventual response to outcry over 1953, 1955 and 1967 Acts;  
Leads to legislation allowing return of administration of Maori Reserved lands to Committees of Management elected by the beneficiaries.
- 1977 Formation of Wakatu Incorporation by the beneficial owners of the Nelson and Motueka Tenth's Reserves and a number of Occupation Reserves in Motueka and Golden Bay – this is the first time since 1841 that the actual owners of local Maori Reserved lands have had a say in the administration and management of their own lands. Lands returned comprise 743 separate titles of which all except one are encumbered by leases with perpetual rights of renewal.
- 1993 Anglican Church returns residue of Whakarewa lands to Ngati Rarua and Te Atiawa of Motueka who form NRAIT (the Ngati Rarua Atiawa Iwi Trust) to administer the returned lands and other assets on behalf of the owners. Lands include large school/farm blocks which are unencumbered freehold titles, plus several dozen leased blocks most of which are encumbered by leases with perpetual rights of renewal.
- 1997 Maori Reserved Land Amendment Act 1997; provides some relief from terms of perpetual leases, but ....  
Compensation applies only to the period from 1977 to 1997; historic losses because of the leases to be determined by the Waitangi Tribunal.  
NRAIT leasehold lands not granted any relief from the vicissitudes of perpetual leases.

## OTHER INFLUENCES

- 1877 *Wi Parata v the Bishop of Wellington* Court case. Judge Prendergast dismissed the Treaty "... as a simple nullity" and stated that customary title could not be recognised by the Courts in the absence of statutory recognition, and that the Crown could extinguish Native proprietary rights simply by acquiring the land. Prendergast's judgement became a precedent for the Courts for many years, although the Privy Council eventually took a different view.
- 1901 *Nireaha Tamaki v Baker*. Privy Council disagreed with parts of Prendergast in *Wi Parata 1877*, holding that Maori customary title to land was recognised by both common law and statute, and that Executive action such as a Crown Grant could not of itself extinguish Native title to land.
- 1903 *Wallis v Solicitor General*. Privy Council again agreed with its 1901 decision. Judges of the colonial Courts were outraged, resulting in the Native Land Act 1909.
- 1909 Native Land Act 1909. Sec 84 of Act, in response to Privy Council decisions of 1901 and 1903, debarred the enforcement of customary title against the Crown; this bar survives today in Te Ture Whenua 1993 in the form of a 12-year limitation on claims against the Crown for recovery of customary rights to land.
- 1993 Te Ture Whenua 1993 a.k.a. The Maori Affairs Amendment Act 1993. A major revision of several statutes, following at least 15 years of lobbying and negotiations between Maori community and tribal leaders, Crown representatives and law drafters.