

CHAPTER 10

VESTED LANDS, 1900 TO 1930

At this juncture in the development of the Maori Land Boards, with the 1909 Act in place, it is both necessary and desirable to examine the lands which had already been, and would subsequently be vested in the boards in fee simple. Pre-1911 vesting has been touched upon in Part I. The following section takes a more-systematic look at how much vested land actually held by the Maori Land Boards at various times, in which categories, and what became of it in the key period of 1911 to 1930. Sales of vested lands are necessarily dealt with as part of the process of reconstructing the holdings of the boards over this period. Sales and leases of vested lands, however, are also dealt with in the following section, which examines all of the various types of alienations which took place under the control of the boards.

This analysis has posed numerous problems for the author. Although a good deal of statistical information about vested lands is available, there are many gaps and anomalies in the data available for this study. Not least of the problems involved in reconstruction is that it is sometimes difficult to tell exactly what the numbers available actually represent – what, in other words, was being counted by the Native Department’s functionaries. It will be necessary to address this problem at several points in the following discussion.

The most important and useful set of data is contained in the statistical series embodied in the published annual reports relating to Native and Maori Affairs (G-9). Beginning for the 1911 to 1912 fiscal year, this provides a wealth of statistical detail concerning the boards’ operations.¹ Until the end of the 1928 to 1929 fiscal year, tabular data was printed each year under the following headings:

- *Areas of Native Land Vested in and Administered by Maori Land Boards:* Presents data by statutory category as per The Native Land Act, 1909 (Part XIV, XV, XVI and ‘under Special Enactment’) for each Maori Land Board, showing total acreage at the beginning and end of the fiscal year (31 March), and the amounts of land newly vested and/or de-vested during the year.
- *Vested Lands: How Disposed of:* Presents data by statutory category (as above, with separate sections for sale and lease in each category) for each Maori Land Board, showing cumulative alienations at the beginning and end

1. The first extensive statistical information was given in the 1910–1911 report (AJHR, 1911, G-9), but the format was changed the following year to that described below. All of the data in this serial is categorised according to the six boards remaining after Maniapoto–Tuwharetoa was disbanded in June 1910 (see above), plus the South Island Board after its creation in 1914.

of the fiscal year, and the number and total acreage of alienations during the year.

- *Native Freehold Land: How Disposed of*: Presents data by method of disposal (confirmations of private alienations by Maori Land Board; alienations by assembled owners under Part XVIII) for each Board, showing cumulative alienations at the beginning and end of the fiscal year, and the number and total acreage of alienations during the year.
- *Vested Lands under the Native Townships Act*: Presents data by method of disposal (leases and sales) for each Maori Land Board, showing cumulative alienations at the beginning and end of the fiscal year, and the number and total acreage of alienations during the year.
- *Surveys requisitioned by Maori Land Boards under Section 396, Native Land Act 1909*: Presents cumulative and annual data by Maori Land Board.
- *South Island Alienations*: Beginning with the 1913 to 1914 report (AJHR, 1914, G-9), shows cumulative alienations (leases, sales and mortgages) at the beginning and end of the fiscal year, and the number and acreage of alienations during the year.
- *Summary: Twelve Months' Operations*: Showing alienations (Lease, Sale, Mortgage) by each Maori Land Board, with 'Summary of Totals' and (beginning with the 1914 to 1915 report, AJHR, 1915, G-9), North Island–South Island breakdowns.²

This invaluable series covers the main period of Maori Land Board activity with respect to alienations, and particularly with respect to permanent alienations of vested lands by sale under Part XIV of the Native Land Act 1909.

0.1 The Situation on 31 March 1910

As previously noted, between the start of 1902 and the end of 1909 some 396,366 acres of Maori land were vested in Maori Land Councils and boards under the terms of the 1900 Act and its several amendments (see Table I.1). Most of that vested before 1906 was handed over voluntarily, but thereafter compulsion was the principal mechanism involved. All of this land came under Part XV of the 1909 Act, when the latter came into effect on 31 March 1910. As we have also seen, by this point at least 504,587 acres of land had also been placed under the 1907 Act (see Table I.6). Of this, 317,098 acres went under Part I, which entailed vesting them in Maori Land Boards. The other 187,489 acres were placed under Part II of

2. Although the amount of statistical information printed was cut back in the 1927–28 and 1928–29 reports, in which the sections dealing with vested lands (total holdings and disposals) were eliminated. Beginning with the 1929–30 report, only a single summary 'Operations' table giving the acreage of lands leased, sold and mortgaged during the previous year was given. This table was itself eliminated from the 1936–37 report, although what amounts to the same information is given in the 'Native Land Courts: (b) Alienations' table which first appeared that year, and continued to under various titles thereafter. This of course reflected the transfer of authority over confirmation of alienations from the boards to the court during this period.

the 1907 Act, which gave the land boards administrative control but did not confer a fee-simple title. On 31 March 1910, both categories became subject to the 1909 Act – under Parts XIV and XVI, respectively. Also held by the Maori Land Boards was more than 46,000 acres of land vested in them under ‘special enactment or trust’ (the most common description used). It is not entirely clear, for want of a precise contemporary explanation, what categories of land were included here. The bulk of the ‘Specials’, however, appear to have been made up of Thermal District Springs Act lands placed under the control of the boards, with most of the balance being Native Township lands.³

According to one source, only 653 acres of vested land had been sold by the Boards up to 1 April 1910, although some 261,537 acres of it had been leased (Table II.1).⁴

Table II.1: Sale and leasing of vested lands to 31 March 1911. Source: ‘Table B – Maori Land Boards. Operations of Maori Land Boards for period ending the 31st March, 1911, showing Area dealt with prior to the 1st April, 1910’, AJHR, 1911, G-9, p 4.

Category	Acres sold to 1 April 1910	Acres sold between 1 April 1910 and 31 March 1911	Total
Part XIV	103	4665	4768
Part XV	550	440	990
Special	0	2	2
Total	653	5107	5760

Category	Acres leased to 1 April 1910	Acres leased between 1 April 1910 and 31 March 1911	Total
Part XIV	1894	7500	9394
Part XV	257,360	10,443	267,803
Special	2283	5138	7421
Total	261,537	23,081	284,618

3. I suggest this because as of 31 March 1911 some 42,970 acres of the 46,242 acres of vested lands in the ‘Special’ category were located in the Waiariki Maori Land District (in and around Rotorua). The usage may have been adopted from that of the Stout–Ngata commission (see AJHR, 1909, I-G-1G, p 5).
4. The latter figure apparently represents the total amount under lease at this time, rather than the gross total of acreage leased since 1900. A report dated 19 July 1910, which states that some 245,444 acres of land were currently being leased by the Maori Land Boards in 920 leases tends to confirm this interpretation, even though the totals are only an approximate match (‘Operations of Native Land Act: Maori Land Boards’, AJHR, 1910, B-6, p xii).

The huge disparity between sales and leasing is, of course, accounted for by the fact that none of the lands vested under the 1900 Act and its amendments (moved under Part XV of the 1909 Act) could be sold by the boards. Of lands which could be sold – a portion of those under Part I of the 1907 Act (moved under Part XIV of the 1909 Act) – most had been in land board hands for less than a year.

Over the following 12 months (1 April 1910 to 31 March 1911), another 5107 acres of vested lands were sold, and leases were issued for 23,081 acres more. As noted previously, however, it appears that there was a hiatus in new vestings during the 1910 to 1911 fiscal year. None dating from this period were proclaimed in the *New Zealand Gazette*, and none are referred to in any of the relevant Departmental reports. Presumably new vesting was not considered desirable while the Maori Land Boards were adapting to the demands made upon them by the 1909 Act. In any case, this makes it possible to provide an approximate set of figures for the total amount of land vested in the boards as of 1 April 1910, by deducting the aforementioned sales from the known totals of vested lands at 31 March 1911 (Table II.2).

Table II.2: Lands vested in Maori Land Boards, 1901–11. The totals for 31 March 1911 are from AJHR, 1912-II, G-9, p 4 (with addition corrected). The totals for 31 March 1910 are derived by adding known sale acreages for 1910-11 (Table II.1) to the appropriate category of the 31 March 1911 totals.

Date	Part XIV	Part XV	Special	Total
At 31/3/1910	332,954	396,122	46,244	775,320
At 31/3/1911	328,289	395,693	46,242	770,224

At the time the 1909 Act came into effect, then, some 775,320 acres of Maori land in the North Island had apparently been vested in the seven Maori Land Boards then in existence. This represented about one-tenth of the 7,137,205 acres of land in the North Island which (according to the Crown's calculations) remained in Maori ownership at this time.⁵

0.2 Vested Lands, 1911

The volume of statistical information available concerning lands vested in the Maori Land Boards increases enormously from 31 March 1911, when the 1911 to 1929 AJHR serial referred to earlier begins. The statistical tables provided by the 1911 to 1912 annual report of the Native Department show holdings of vested lands at this point to be as follows (Table II.3).

5. 10.9 percent, to be unnecessarily precise. See 'Statement showing the Position of Native Lands in the North Island', AJHR, 1911, G-6, p 3. This statistical report is dated 11 October 1911.

Two qualifications need to be made at this point. The first concerns the Part XV data, where there are substantial differences between the figures for individual Maori Land Boards given in the ‘official’ summary of 1902 to 1909 vesting, and in the 1911 annual report (see Table II.4).

Table II.3: Area of vested lands, by Maori Land Board, as of 31 March 1911. Adapted from ‘Table B – Maori Land Boards: Areas of Native Land Vested in and Administered by Maori Land Boards’, in AJHR, 1912-II, G-9, p 4 (Part XV addition corrected). Similar figures for the three types of vesting are given in ‘Table B – Maori Land Boards: Operations . . . for the Period ending 31st March 1911’, in AJHR, 1911, G-9, p 4, which does not break the figures down by boards. The Part XV total there is slightly different from the incorrectly added one in the 1911 to 1912 report.

Maori Land Board	Part XIV	Part XV	Special	Total	Percentage total
Ikaroa	16,304	1742	260	18,306	2.38
Aotea	0	193,689	1359	195,048	25.32
Tairawhiti	2823	54,337	3	57,163	7.42
Waiariki	30,683	3577	42,970	77,230	10.03
Waikato–Man	203,530	0	1650	205,180	26.64
Tokerau	74,949	142,348	0	217,297	28.21
Total	328,289	395,693	46,242	770,224	100.00
Percentage total	42.62	51.37	6.00	100.00	

Table II.4: Comparison of Part XV vesting totals. Column 1 from AJHR, 1910, G-10 (see Table I.1); Column 2 from AJHR, 1911–12, G-9 (see Table II.3).

Board	Acres vested 1902–09	Acres vested at 31 March 1911
Waikato–Man	67,892	0
Aotea	126,848	193,689
Waiariki	3517	3577
Tairawhiti	54,318	54,337
Ikaroa	1445	1742
Tokerau	142,346	142,348
Totals	396,366	395,693

As can be seen, although the totals are very similar there are major discrepancies between the amounts of land vested in the Aotea and Waikato–Maniapoto boards from 1902 to 1909, and the amounts actually held in 1911. The most likely explanation would seem to be that when the Waikato and Maniapoto–Tuwharetoa Maori Land Boards were merged in 1910, the resulting boundary alterations moved some 67,000-odd acres of Part XV lands within the jurisdiction of the Aotea Maori Land Board.⁶

The second problem concerns the figure for Part XIV vestings. There is a large discrepancy between the total given above (328,289 acres) and those for vestings under Part I of the 1907 Act up to 31 March 1910 which were discussed earlier (317,098 acres). Given that all of the reports available insist that some 328,000 acres of Maori land were vested in the boards under Part XIV in 1911,⁷ there would appear to be two possible explanations. The first is that certain proclamations of land under the 1907 Act were not published in the *New Zealand Gazette* for some reason. The second, and more likely explanation is that proclamations covering some 15,000 acres of land are not listed in the *Gazette* indexes for 1908 to 1909.⁸

These minor difficulties aside, it is possible for the first time to get a clear idea of the amount and composition of the Maori Land Boards' holdings. In terms of volume, it is apparent there were two different categories of Maori Land Board in 1911. The first included Ikaroa, Tairāwhiti, and Waiariki, which held relatively small amounts of vested land; the second, which included Aotea, Waikato–Maniapoto, and Tokerau, had significant holdings in the neighbourhood of 200,000 acres each. The three boards in the second group together held 80.2 percent of all vested lands (617,525 acres). The level of variation was such that the Maori Land Board with the fewest vested lands – Ikaroa – held less than one-tenth of the amount vested in any single one of the larger boards.

In terms of the composition of their vested-land holdings, on the other hand, there is not much to choose between the various Maori Land Boards – which is to say

6. It should be noted here that the totals for Part XV vestings for 1906 to 1909 derived from a search of the *Gazettes* correspond very closely with the figures for 1900 Act vestings for the same period given in AJHR, 1910, G-10. It is thus very likely that the vesting/holdings discrepancy is an administrative hiccup.

7. See AJHR, 1911, G-10a (328,187 acres at 18 October 1911) and AJHR, 1912, II, G-9 (328,289 acres at 31 March 1911), et al.

8. The author considered it above and beyond the call of duty to scrutinise every page of the *Gazettes* themselves in order to provide a definite answer to this question.

that they are all quite different. Without exception, a single type of vested land dominated each of the boards' holdings (see Table II.5):

Table II.5: Composition of holdings of vested lands, 1911

Board	Main holding	Percentage total holdings	Percentage of type
Waikato–Maniapoto	Part XIV	99.2	62
Aotea	Part XV	99.3	49
Waiariki	Special	55.6	92.4
Tairāwhiti	Part XV	95.1	13.7
Ikaroa	Part XIV	87.1	5.0
Tokerāu	Part XV	65.5	36.0

In every case a single type of vested land comprised more than half of each board's holdings: in four it approached or exceeded 90 percent of the board's holdings. In three cases, as well, a single board held more than half of total amount of vested land in a particular category which had been vested in the Maori Land Boards, as summarised in Table II.6.

0.3 Vested Lands, 1911 to 1927: Vestings

From the data published in the AJHRs for the period 1911 and 1912 to 1926 and 1927 it is possible to ascertain how much vested land was held by the Maori Land Boards at any given time. This, at least, is the impression given by the annual reports (Table II.6).

The difficulty with these figures is that they are contradicted by other data from the same set of tables in the same annual reports. When the Native Department's own figures for new vestings, transfers, reversions, and sales are analysed, using

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the 31 March 1911 vesting totals as a starting point, the results bear scant resemblance to the ‘official’ figures.

Table II.6: Lands vested in Maori Land Boards, by statutory category, at given dates. Source: annual reports, AJHR, G-9, 1911–12 to 1927–28, ‘Table B – Maori Land Boards. Areas of Native Land Vested in and Administered by Maori Land Boards’. No total figure for lands vested is given in the annual reports: the one used here is simply a sum of the category totals.

Date	Part XIV	Part XV	Special	Total
At 31 March 1911	328,289	395,682	46,241	770,212
At 31 March 1912	323,370	407,402	26,220	756,992
At 31 March 1913	326,190	407,403	26,222	759,815
At 31 March 1914	329,644	407,402	26,222	763,268
At 31 March 1915	329,644	350,095	69,275	749,014
At 31 March 1916	329,644	350,095	69,275	749,014
At 31 March 1917	324,772	350,094	69,759	744,625
At 31 March 1918	303,864	350,094	69,759	723,717
At 31 March 1919	301,652	349,538	69,759	720,949
At 31 March 1920	301,598	348,973	69,759	720,330
At 31 March 1921	300,722	348,797	69,759	719,278
At 31 March 1922	300,713	329,793	69,759	700,265
At 31 March 1923	300,713	329,793	69,759	700,265
At 31 March 1924	300,212	328,896	69,759	698,867

Table II.6: Lands vested in Maori Land Boards, by statutory category, at given dates. Source: annual reports, AJHR, G-9, 1911–12 to 1927–28, ‘Table B – Maori Land Boards. Areas of Native Land Vested in and Administered by Maori Land Boards’. No total figure for lands vested is given in the annual reports: the one used here is simply a sum of the category totals.

Date	Part XIV	Part XV	Special	Total
At 31 March 1925	292,699	328,896	69,759	691,354
At 31 March 1926	288,852	326,209	69,759	684,820
At 31 March 1927	284,778	316,801	69,759	671,338

The difficulty with these figures is that they are contradicted by other data from the same set of tables in the same annual reports. When the Native Department’s own figures for new vestings, transfers, reversions and sales are analysed, using the 31 March 1911 vesting totals as a starting point, the results bear scant resemblance to the ‘official’ figures.

0.4 New Vestings, 1911 to 1927

Table II.7 shows all of the acreage known to have been vested in the land boards after 31 March 1911.

Table II.7: New vesting in Maori Land Boards by statutory category, 1911–27. From annual reports, AJHR, G-9, 1911–12 to 1927–28, ‘Table B – Maori Land Boards. Areas of Native Land Vested in and Administered by Maori Land Boards’. A total figure for lands vested is not given in the Annual Reports: the one used here is simply a sum of the category totals. Note that 8429 acres listed as vested under Part XIV were vested as a result of resolutions passed by assembled owners under Part XVIII in 1911–1912 to 1913–1914.

Date	Part XIV	Part XV	Special	Total
1911–12	7054	11,721	1319	20,094
1912–13	2819	0	2	2821
1913–14	4474	0	0	4474
1914–15	0	0	57,308	57,308
1915–16	0	0	0	0
1916–17	0	0	484	484

Table II.7: New vesting in Maori Land Boards by statutory category, 1911–27. From annual reports, AJHR, G-9, 1911–12 to 1927–28, ‘Table B – Maori Land Boards. Areas of Native Land Vested in and Administered by Maori Land Boards’. A total figure for lands vested is not given in the Annual Reports: the one used here is simply a sum of the category totals. Note that 8429 acres listed as vested under Part XIV were vested as a result of resolutions passed by assembled owners under Part XVIII in 1911–1912 to 1913–1914.

Date	Part XIV	Part XV	Special	Total
1917–18	0	0	1	1
1918–19	0	0	0	0
1919–20	0	0	0	0
1920–21	0	0	0	0
1921–22	0	0	0	0
1922–23	0	0	0	0
1923–24	0	0	0	0
1924–25	0	0	0	0
1925–26	0	0	0	0
1926–27	0	0	0	0
Total	14,347	11,721	59,114	85,182

The Part XIV figures agree reasonably well in total, but not in timing, with new Part XIV vestings proclaimed in the *New Zealand Gazette*.

Legislation	1910–11	1911–12	1912–13	1913–14	Total
1909 XIV	0	9699	800	4474	14,973
1909 XV	0	735	0		735
Total	0	10,434	800	4474	15,708

Where Part XV lands are concerned, the annual report for 1911 to 1912 confirms that 775 acres were vested in the Aotea (197 acres) and Waikato–Maniapoto boards (538 acres) during that year, but also shows a further 10,975 acres being vested in the Waiariki board under Part XV, for a total of 11,710 acres of new vestings.⁹ In another section, however, 21,340 acres of Waiariki vestings are shown as being converted from ‘Special’ into Part XV lands. While a *Gazette* notice may not have been considered necessary for the change in status, this does nothing to explain

9. Although the subtotal for the Part XV section shows a transfer of 11,721 acres.

where the other 10,365 acres went. The vesting of 57,308 acres of ‘Special’ land in Tokerau in 1914 to 1915 involved a similar process, in that this amount of Part XV land was moved to the ‘Special’ category. Or so one assumes: the report in question simply adds and subtracts the same total in the Tokerau section of the two entries.

0.5 Total Vestings

Subject to these caveats, it can be asserted with reasonable confidence that a grand total of some 861,155 acres of Maori land were vested in the Maori Land Boards between the passage of the Maori Land Administration Act 1900 and 31 March 1927 (Table II.8).

Table II.8: Total of lands vested, 1900–27

Date	Part XIV	Part XV	Special	Total
Vested land sold prior to 1 April 1910	653	0	0	653
Vested lands at 31 March 1910	332,954	396,122	46,244	775,320
Vested 1 April 1911 to 31 March 1927	14,347	11,721	59,114	85,182
Total	347,954	407,843	105,358	861,155

0.6 Vested Lands, 1911 to 1927: Disposals

During the period in question, the amount of Maori land vested in the boards was reduced by reversion of fee-simple title to the owners, by de-vesting for other purposes or reasons, and by sales. According to the ‘official’ annual series (Table II.6), the net loss in the amount of vested lands held by the Maori Land Boards was 98,874 acres between 31 March 1911, and 1 April 1927.¹⁰

0.6.1 Reversion to Owners

The Native Land Amendment Act 1912¹¹ first made provision for owners to regain the title to lands which had been vested in trust in the Maori Land Boards. According to the Native Department’s annual reports, some 89,642 acres of vested

10. That is, 770,212 acres (31 March 1911) minus 671,338 acres (31 March 1927).

11. Statutes, 1912, no 34, s 18

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land under Part XIV and Part XV reverted to its owners during this period (Table II.9).

Table II.9: Reversions of vested lands to owners, 1911–27. The reversion of 11,973 acres of Part XIV lands in 1911–12 may have been carried out by some means other than the 1912 Act, but further information on this point has not yet come to light.

Date	Part XIV	Part XV	Total
1911–12	11,973	0	11,973
1912–13	0	0	0
1913–14	0	0	0
1914–15	0	0	0
1915–16	0	0	0
1916–17	4872	0	4872
1917–18	20,907	0	20,907
1918–19	2213	557	2770
1919–20	54	565	619
1920–21	876	176	1052
1921–22	9	19,004	19013
1922–23	0	0	0
1923–24	501	897	1398
1924–25	7512	0	7412
1925–26	3847	2688	6535
1926–27	3583	9408	12,991
Total	56,347	33,295	89,642

This represented some 10.4 percent of the 861,155 acres of Maori lands which apparently were vested in the boards in the period 1900 to 1927.

0.6.2 Other de-vesting

Some mention has already been made of cases in which quantities of land appear in or disappear from the tables in the annual reports without explanation. For the sake of consistency, if nothing else, these must for present purposes (and in the absence of better information) be treated as cases of vesting or de-vesting. Where the latter is concerned, it would appear that some 93,924 acres of vested land were de-vested

in 1911 to 1927 in order to change their status, or for some unknown administrative purpose. A breakdown is given in Table II.10.

Table II.10: Other de-vesting, 1910–27

Date	Part XIV	Part XV	Special	Total
1911–12			21,340	21,340
1912–13				0
1913–14	1020			1020
1914–15		57,308	14,256	71,564
Total	1020	57,308	35,596	93,924

In one of these four cases the land in question was transferred to another category of vesting, when 57,308 acres of vested land in Tokerau was evidently re-classified as ‘Special’ (1914 to 1915). In another instance an annotation reads ‘Awarded to Crown on partition’ (1913 to 1914). Presumably these lands were erroneously vested in the Waikato–Maniapoto Board under Part XIV, and granted to the Crown following a Native Land Court investigation. In both of the other cases, however – both involving the Waiariki Board – acreage simply disappears from the annual reports without explanations. Some 10,365 acres apparently went missing in 1911 to 1912 when a large quantity of ‘Special’ land was transferred to Part XV, and 14,256 acres of Waiariki ‘Special’ land vanished from the accounts between the 1913 to 1914 and 1914 to 1915 reports.¹²

0.6.3 Sales of Vested Land

Sales were the principal method by which the amount of Maori land vested in the Maori Land Boards was reduced during the period 1910 to 1927. The annual reports provide the figures in Table II.11.

Table II.11: Sales of vested lands, 1910–27

Date	Part XIV	Part XV	Special	Total
1910–11	4556	400	2	4958
1911–12	31,919	223	80	32,222
1912–13	25,076	0	103	25,179

12. That is, the 1913–14 Annual Report, p 4, credits the Waiariki board with 21,630 acres of ‘Special’ vested land ‘As at 31st March, 1914’. The 1914–15 report, p 4 credits it with only 7374 acres of ‘Special’ land at the same date.

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Table II.11: Sales of vested lands, 1910–27

Date	Part XIV	Part XV	Special	Total
1913–14	13,644	0	9	30,911
1914–15	16,443	0	3	16,446
1915–16	958	5	25	988
1916–17	20,146	5	2	20,153
1917–18	1450	0	0	1450
1918–19	4733	0	0	4733
1919–20	0	0	0	0
1920–21	2396	0	0	2396
1921–22	5908	0	1	5909
1922–23	0	0	1	1
1923–24	49	0	0	49
1924–25	0	0	2	2
1925–26	0	0	0	0
1926–27	1318		0	1318
Total	128,596	17,891	228	146,715

Not surprisingly, the bulk of these sales were Part XIV lands, but the amounts involved are less than might have been expected. The 128,596 acres represented only 37 percent of the total of 347,954 acres of Maori land which are known to have been vested in the boards under Part I of the 1907 Act and Part XIV of the 1909 Act in the period 1908 to 1927. It would thus appear that 50:50 ratio of sale and lease stipulated by the 1907 Act, and re-stated by the 1909 Act (s 239) either was not or could not be executed in practice. Another explanation, however, may be possible. If the 56,347 acres of Part XIV land re-vested in their owners are removed from the calculation, then the sales represent 44.2 percent of the 291,607 acres of Part XIV land which remained in the hands of the boards. This percentage is much closer to the statutory requirement.

More surprising is the sale of such a large amount of land vested under Part XV. The lands vested in the Maori Land Councils and boards under the 1900 Act and its amendments could not be sold, and the same stipulation was incorporated in the 1909 Act. Section 291(1) clearly stated that, although Part XV lands were held by the boards ‘on the same trusts’ as lands vested under Part XIV, they could not be sold under the authority of Part XIV. The only exception was sales under section 278, but these were limited to parcels of less than five acres for specific purposes.

These restrictions notwithstanding, the annual reports clearly identify some 17,891 acres of Part XV lands as having been sold by the boards in the period 1910 to 1914. Neither the number of transactions involved in, nor the location of the 400 acres disposed of in 1910 to 1911 can at present be ascertained, but it may possibly be significant that all four of transactions which led to the sale of 17,491 acres of Part XV lands in 1911 to 1912 and 1913 to 1914 took place in the Tairāwhiti Māori Land District. This represented some 32.2 percent of the Part XV lands reportedly vested in the Tairāwhiti board as of 31 March 1911. Overall, though, barely 4.4 percent of the 407,843 acres known to have been vested under Part XV in the study-period seem to have been sold by the Māori Land Boards. The proportion of ‘Special’ lands sold was even smaller, the 228 acres amounting to only 0.2 percent of total known vestings (105,358 acres). These probably represented, for the most part, sales of Native Township lands.

0.6.4 Actual holdings of vested lands

According to the figures given in the annual report serial for ‘Native Lands vested in and administered by Māori Land Boards’, the net change in the amount of vested lands held by the boards between 1 April 1911 and 31 March 1927 was a reduction of 98,874 acres (12.8 percent of the initial total).¹³

Table II.12: Changes in the amount of vested lands

Date	Part XIV	Part XV	Special	Total
At 31 March 1911	328,289	395,682	46,241	770,212
At 31 March 1927	284,778	316,801	69,759	671,338
Change	-43,511	-78,881	+23,518	-98,874

According to these same annual reports, however, the 85,182 acres of land vested in the boards during this period were offset by a total of 325,323 acres lost by

13. Derived from Table II.6.

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reversion to the original owners, by other de-vesting and by sale, for a net loss of 240,141 acres (Table II.13).

Table II.13: Summary of vesting and de-vesting, 1911–27. The sales figures are taken from Table II.11, with the totals for 1910–11 sales deducted.

Category	Part XIV	Part XV	Special	Total
New vesting	14,347	11,721	59,114	85,182
Total vested (A)	14,347	11,721	59,114	85,182
Reversions	56,347	33,295	0	89,642
Other de-vesting	1020	57,308	35,596	93,924
Sales	124,040	17,491	226	141,757
Total de-vested (B)	181,407	108,094	35,822	325,323
Difference (B–A)	167,060	96,373	-23,292	240,141

It is impossible to reconcile these figures as they stand. A year-by-year analysis of the data, using the totals for lands vested as of 31 March 1911 as a starting-point, and calculating vestings, de-vestings and sales on an annual basis, produces the figures in Table II.14.

Table II.14: Actual acreage of vested lands, 1911–27

Date	Part XIV	Part XV	Special	Total acres	Change (from previous year)
At 31 March 1911	328,398	395,722	46,242	770,362	
At 31 March 1912	291,560	407,220	26,141	724,921	-45,441
At 31 March 1913	269,303	407,220	26,040	702,563	-22,358
At 31 March 1914	259,113	389,962	26,031	675,106	-27,457
At 31 March 1915	242,670	332,654	69,080	644,404	-30,702
At 31 March 1916	241,712	332,649	69,055	643,416	-988

Table II.14: Actual acreage of vested lands, 1911–27

Date	Part XIV	Part XV	Special	Total acres	Change (from previous year)
At 31 March 1917	216,694	332,644	69,537	618,875	-24,541
At 31 March 1918	194,337	332,644	69,538	596,519	-22,356
At 31 March 1919	187,391	332,087	69,538	589,016	-7503
At 31 March 1920	187,337	331,522	69,538	588,397	-619
At 31 March 1921	184,065	331,346	69,538	584,949	-3448
At 31 March 1922	178,148	312,342	69,537	560,027	-24,922
At 31 March 1923	178,148	312,342	69,536	560,026	-1
At 31 March 1924	177,598	311,445	69,536	558,579	-1447
At 31 March 1925	170,086	311,445	69,534	551,065	-7514
At 31 March 1926	166,239	308,757	69,534	544,530	-6535
At 31 March 1927	161,338	299,349	69,534	530,221	-14,309
Change (1 April 1911 to 31 March 1927)	-167,060	-96,373	+23,292	-240,141	-240,141

I would suggest that these calculations provide a much more accurate reflection of the Maori Land Boards' annual holdings of vested lands during the period in question than the 'official' figures. It shows that the total amount of vested land in Maori Land Board hands by the terminal date was in the neighbourhood of 530,000 acres, rather than the 671,000-odd acres indicated in the annual report for 1926 to 1927.

An examination of annual entries indicates that the only elements which the Native Department took account of in compiling its own annual totals were new vestings and reversions of title to owners. The former were added, and the latter

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subtracted from the previous year's total. Calculations were also affected – inadvertently or otherwise – by the miscellaneous changes which I have placed in the 'other de-vesting' category:

New vesting:	+85,182
Reversions:	-89,642
Other:	-93,924
Total:	-98,384

It is unlikely to be a coincidence that the sum of these three elements comes within a few hundred acres of 98,874 acres – the 'official' figure for the net loss in the amount of vested lands held the boards over the period under study.

Why this should have been the case is not readily apparent. Given that the principal omission from the 'official' calculations was Part XIV sales, and that the 'official' figures purported to cover 'Native Land vested in and administered by Maori Land Boards' one might reasonably suspect that the land alienated in this manner somehow remained within the administrative domain of the boards. And, in fact, Part XIV lands could not be purchased outright by buyers: a minimum five-year term was imposed to ensure that certain occupation and cultivation requirements were met. Buyers could not receive the fee-simple title for their purchase before then.¹⁴ Part XIV sales thus did not necessarily involve an immediate transfer of title. The full sale price, however, had to be paid within a maximum of 10 years after the purchase was made. As the following table shows, even if every purchaser waited the full 10 years before transferring title – which seems most unlikely – a minimum of 112,742 acres of Part XIV sales (92.8 percent) should have been 'struck off the books' of the Maori Land Boards by 31 March 1927, and listed as 'de-vested' lands (Table II.15).

Table II.15: Completions of Part XIV sales, to end of 1927

Date	Part XIV sales	Total Part XIV sales	Percentage total sales	End of five-year term	End of 10-year term
1910–11	4556	4556	3.54		
1911–12	31,919	36,475	28.36		
1912–13	25,076	61,551	47.86		
1913–14	13,644	75,195	58.47		
1914–15	16,443	91,638	71.26		
1915–166	958	92,596	72.01	4556	
1916–17	20,146	112,742	87.67	36,475	

14. See 'Regulations relating to Maori Land Boards under the Native Land Act, 1909', *New Zealand Gazette*, 13 June 1910, no 58, pp 1717–1731; especially 'Third Schedule: Contract of Sale under the Native Land Act, 1909: Part XIV'

Table II.15: Completions of Part XIV sales, to end of 1927

Date	Part XIV sales	Total Part XIV sales	Percentage total sales	End of five-year term	End of 10-year term
1917–18	1450	114,192	88.80	61,551	
1918–19	4733	118,925	92.48	75,195	
1919–20	0	118,925	92.48	91,638	
1920–21	2396	121,321	94.34	92,596	4556
1921–22	5908	127,229	98.94	112,742	36,475
1922–23	0	127,229	98.94	114,192	61,551
1923–24	49	127,278	98.98	118,925	75,195
1924–25	0	127,278	98.98	118,925	91,638
1925–26	0	127,278	98.98	121,321	92,596
1926–27	1318	128,596	100	127,229	112,742

An alternative explanation is that the Crown was incredibly lax in enforcing its own purchase regulations, and the most buyers were exceedingly reluctant to complete their purchases. This also seems improbable.

An unfortunate side-effect of these peculiar accounting practices is that the official figures for the total amount of land vested in the individual Maori Land Boards for any given year after 1911 (Table II.6) do not accurately reflect the true situation at the time. Re-calculating all of these totals was beyond the scope of this project, but the following provides a rough estimate of the individual Maori Land Boards' holdings of vested land at 31 March 1926. The 'Actual Total at 31 March 1926 (Approx)' in Table II.16 has been calculated by deducting the acreage of vested land sold between 31 March 1911 and 31 March 1926 from the 'official' total for land board holdings of vested lands at 31 March 1926 (the last year when these figures are provided).¹⁵ Note that the resulting total is very close to that

15. Note that the resulting total is very close to that calculated above for actual vesting as at 31 March 1926 (544,530 acres): see Table II.14.

calculated above for actual vesting as at 31 March 1926 (544,530 acres): see Table II.14.

Table II.16: Area of vested lands, by Maori Land Board, as at 31 March 1926 (approximate)

Maori Land Board	Total at 31 March 1911 (AJHR)	Percentage total 1911	Total at 31 March 1926 (AJHR)	Vested land sales 1911–26	Actual total at 31 March 1926 (approx)	Percentage total 1926
Ikaroa	18,306	2.4	18,748	13,839	4909	0.9
Aotea	195,048	25.3	191,219	6791	184,428	33.9
Tairāwhiti	57,163	7.4	58,135	17,529	40,606	7.5
Wairariki	77,230	10.0	34,882	1330	33,552	6.2
Waikato–Maniapoto	205,180	26.6	194,348	82,478	111,870	20.6
Tokerau	217,297	28.2	187,488	18,516	168,972	31
Total	770,224	100	684,820	140,483	544,337	100

Sales, as can be seen, had made substantial inroads into the amount of vested land held by several boards: Ikaroa and Waikato–Maniapoto, with the highest proportions of Part XIV vestings in 1911 (see Table II.5), naturally experienced the largest reductions.

0.7 Conclusions

The published statistical information relating to the vested lands held by the Maori Land Boards is not, unfortunately, complete. Further research is required to fill several gaps, and also to explain anomalies in the published record. In particular, it would be useful to look more closely at the reported sales of Part XV lands, and to explain why Part XIV sales were not (apparently) incorporated in the published totals of lands vested in the Maori Land Boards. The information available is sufficient to give a good sense of the scale and complexity of the boards' responsibilities as a trustee for Maori landowners.

It is also sufficient to demonstrate that the lands vested in the Maori Land Boards were, in absolute terms, a steadily-shrinking resource during the 1910s and 1920s. In 1910 the Maori Land Boards held some 775,320 acres of vested lands. By 1927 this had fallen by nearly one-third, to some 530,221 acres, due in the main to Part XIV sales and the reversion of title to owners. These losses were not offset by significant amounts of new vesting. Relative to the total amount of land in Maori

hands, the proportion of vested lands remained surprisingly constant – but only because so much Maori freehold land was permanently alienated during this period. In 1910 Maori owned 7,137,205 acres of land in the North Island: vested lands made up some 10.9 percent of them. In 1927 figure Maori owned 4,153,796 acres, of which vested lands made up about 12.8 percent.¹⁶ In short, the decline in boards' holdings of vested lands kept exact pace with the decline in Maori holdings as a whole. Or to put it another way, the proportion of vested lands lost was not much different from that of Maori lands in general. This being the case, one must conclude that under the 1909 system the 'protection' afforded by vesting turned out to be only marginally better than none at all.

16. See above for 1910, and AJHR, 1927, G-9, p 2 for the 1927 figure. It should be noted, however, that the 1927 calculation may be based in part on the inflated 'official' figure for vested lands (discussed above). Like all official statistics relating to Maori land in this era it is best treated as indicative rather than accurate.