



Auckland Gold Fields Proclamations Validation Act 1869

- Citation:** 32 & 33 V. No 10
- Date of Assent:** 27 July, 1869
- Commencement:** Date of Assent
- Repeal:** Repealed 1971, No 25
- Amendments:** 1926, No 15: s36 amends Act by deeming rents to be money arising from miners rights.
- Type of Legislation:** Public
- Subject:** Mining
Validation
- Relevant Sections:** s2: Governor deemed to have obtained power to authorise mining for gold on land described in certain agreements between Natives and the Governor (or James Mackay) and such agreements to be binding.
ss3 - 5: Certain proclamations and claims validated.
- Commentary:** The preamble gives the background to this special situation (see also NZPD vol 6 (1869) 2 - 5).
Concerns an agreement made on 27 July, 1867 between certain Native chiefs and Sir George Grey giving the land described in the first schedule for goldmining purposes. Proclamations were subsequently made by the Superintendent and Deputy Superintendent of the Province of Auckland constituting the land as a Gold field under the Gold Fields Act 1866 but there was doubt about the validity of the Proclamations for minor technical reasons.
Other agreements were signed on 9 November, 1867 with "Ngati-tamatera Tribe" and on 13 May, 1868 with Ngati Porou releasing certain lands for the purpose of gold mining.
Since the agreements, the Native title over parts of the land had been extinguished and doubts arose as to the effect of the agreements upon issue of a Certificate of Title as the Gold Fields Act 1866 exempted private land from its provisions. The Act validated all the agreements and Proclamations mentioned. Schedule contains a list of the land involved. The Act was hurried through the legislature in order to avoid up coming Supreme Court cases over title.
- Cross Reference:** NZPD vol 5 (1869) 458, 474 - 476
NZPD vol 6 (1869) 2 - 5.