

New Zealand.

ANNO TRICESIMO

VICTORIÆ REGINÆ.

No. 17.

ANALYSIS.

- | | |
|--|---|
| 1. Short Title. | 6. Naturalization to extend to wife. |
| 2. Person born of a mother who is a natural-born subject capable of holding real or personal estate. | 7. Mode of obtaining naturalization. |
| 3. Alien friends may hold personal property except chattels real. | 8. Applicant to take oath of allegiance. |
| 4. Alien friends may hold lands for twenty-one years. | 9. Facilities given to persons naturalized elsewhere. |
| 5. Conditions of naturalization. | 10. Letters of naturalization to be enrolled. |
| | 11. Penalty for false statement. |
| | 12. Act not to take away rights of aliens. |
| | 13. Act not to affect pre-existing rights. |
| | Schedule. |

AN ACT to amend the Law relating to Aliens. [4th October 1866.]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled and by the authority of the same as follows—

- | | |
|---|---|
| I. The Short Title of this Act shall be "The Aliens Act 1866." | Short Title. |
| II. Every person now born or hereafter to be born out of Her Majesty's Dominions of a mother being a natural-born subject of the United Kingdom shall be capable of taking to him his heirs executors or administrators any estate within this Colony real or personal by devise or purchase or inheritance of succession. | Person born of a mother who is a natural-born subject capable of holding real or personal estate. |
| III. From and after the passing of this Act every alien being the subject of a friendly State shall and may take and hold by purchase gift bequest representation or otherwise every species of personal property (except chattels real) within the Colony as fully and effectually to all intents and purposes and with the same rights remedies exemptions privileges and capacities as if he were a natural-born subject of the United Kingdom. | Alien friends may hold personal property except chattels real. |
| IV. Every alien now residing in or who hereafter comes to reside in any part of the Colony and being the subject of a friendly State may by grant lease demise assignment bequest representation or otherwise take and hold any lands houses or other tenements for the purpose of residence or of occupation by him or her or his or her servants or for the purpose of any business trade or manufacture for any term of years not exceeding twenty-one years as fully and effectually to all intents and purposes and with the same rights remedies exemptions and privileges (except the right to be a Member of the Parliament of the Colony and to vote at elections for Members of Parliament) as if he were a natural-born subject of the United Kingdom. | Alien friends may hold lands for twenty-one years. |
| V. When any alien friend now residing in or who shall hereafter reside within the Colony of New Zealand desires to be naturalized if | Conditions of naturalization. |

Aliens.

he be of good repute and if he take the oath prescribed in the Schedule hereto the Governor may if he think fit grant to him under the seal of the Colony letters of naturalization subject to such conditions (if any) as he may consider necessary or advisable and may thereby grant to him all the rights and capacities of a natural-born British subject within the Colony except the rights and capacities (if any) specially excepted in and by such letters of naturalization.

Naturalization to
extend to wife.

VI. Any alien woman married or who shall be married to any natural-born subject of Her Majesty or naturalized person shall be deemed and taken to be herself naturalized and have all the rights and privileges of a natural-born subject.

Mode of obtaining
naturalization.

VII. When any person desires to obtain naturalization under this Act he may present to the Governor a memorial signed by himself and verified upon oath stating his name age birth-place residence and occupation the length of his residence in the Colony and his desire to settle therein and praying that letters of naturalization may be granted to him and also a certificate signed by some Resident Magistrate or Justice of the Peace to the effect that the applicant is known to the person so signing and is to the best of such person's belief and knowledge a person of good repute.

Applicant to take
oath of allegiance.

VIII. If the Governor think fit to grant such letters he shall direct the applicant to take the oath prescribed by this Act before some Judge of the Supreme Court or of a District Court or before some Resident Magistrate or Justice of the Peace and upon the certificate of such Judge or Magistrate or Justice that the applicant has taken before him the said oath he shall issue to the applicant letters of naturalization accordingly and upon such letters of naturalization being issued to him the applicant shall enjoy all the rights and capacities which a natural-born subject of the United Kingdom can enjoy or transmit within this Colony except such rights and capacities (if any) as are specially excepted in the letters of naturalization granted and issued to him.

Facilities given to
persons naturalized
elsewhere.

IX. When any person resident in New Zealand has previously obtained any certificate or letters of naturalization in the United Kingdom of Great Britain and Ireland or any part thereof or in any British Colony on the Continents of Australia Africa or America or in the Colony of Tasmania and desires to be naturalized in New Zealand if he submit such certificate to the Governor in Council and if he further state in his memorial as aforesaid that he is the person named in such certificate and that the same has been obtained without any fraud or intentional false statement and that the signature and the seal if any thereto are to the best of his belief and knowledge genuine the Governor may at his discretion grant the letters of naturalization without requiring from the applicant any further residence in New Zealand or (if the applicant has previously taken a similar oath) the oath prescribed by this Act.

Letters of naturaliza-
tion to be enrolled.

X. The Colonial Secretary shall enrol for safe custody as of record all such letters of naturalization and a certified copy of every such certificate as aforesaid and shall demand and receive from every person to whom such letters are granted the fee of one pound in respect of such enrolment and shall cause to be made proper indices to such letters and certificates and shall permit every person desirous of so doing to inspect the same and make copies of such letters and certificates on payment of the fee of one shilling for every such inspection.

Penalty for false
statement.

XI. If any person to whom letters of naturalization have been granted be convicted of having wilfully made any false statement in

Aliens.

his memorial he shall be deemed guilty of perjury and such letters of naturalization shall except against a *bona fide* purchaser from such person for valuable consideration become thereby void.

XII. Nothing herein contained shall be construed so as to take away or diminish any right privilege or capacity heretofore lawfully possessed by or belonging to aliens residing in the Colony so far as relates to the possession or enjoyment of any real or personal property but that all such rights shall continue to be enjoyed by such aliens in as full and ample a manner as such rights were enjoyed before the passing of this Act. Act not to take away rights of aliens.

XIII. Nothing in this Act shall prejudice or be construed to prejudice any rights or interests whether vested or contingent under any will settlement or deed executed by any natural-born British subject before the passing of this Act or under any descent or representation from or under any such natural-born subject who shall have died before the passing of this Act. Act not to affect pre-existing rights.

SCHEDULE.

I do sincerely promise and swear that I will be faithful and bear true allegiance to Her Majesty Queen Victoria as lawful Sovereign of the United Kingdom of Great Britain and Ireland and of this Colony of New Zealand. So help me God. Schedule.

WELLINGTON, NEW ZEALAND:

Printed under the authority of the New Zealand Government by GEORGE DIDSBUY, Government Printer.