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(Hon. Mr. McLean.)

# Native Grantees.

## ANALYSIS.

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| <ul style="list-style-type: none"> <li>Title.</li> <li>1. Short Title.</li> <li>2. Commencement of Act.</li> <li>3. Interpretation.</li> </ul> | <ul style="list-style-type: none"> <li>4. Native grantees to be tenants in common.</li> <li>5. Provisions of Native Land Act extended to all Native grantees.</li> <li>6. Lands in excluded districts.</li> </ul> |
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## A BILL INTITULED

AN ACT to define the interests of Natives in Lands held Title.  
 by them jointly under Crown Grant, and to extend  
 the operation of "The Native Land Act, 1873,"  
 to such Lands.

**B**E IT ENACTED by the General Assembly of New Zealand in  
 Parliament assembled, and by the authority of the same, as  
 follows :—

- 1. The Short Title of this Act shall be "The Native Grantees Short Title.  
 5 Act, 1873."
- 2. This Act shall come into operation on the first day of January, Commencement of  
Act.  
 one thousand eight hundred and seventy-four.
- 3. The word "Natives" in this Act shall mean persons of the Interpretation.  
 aboriginal race of New Zealand, and shall include half-castes.
- 10 4. In any Crown grant heretofore made or hereafter to be made Native Grantees to  
be tenants in  
common.  
 to more Natives than one under the provisions of any Act of the  
 General Assembly other than "The Native Lands Act, 1865," and the  
 several Acts amending the same, or "The Native Land Act, 1873," or  
 in any Crown grant heretofore made or hereafter to be made to more  
 15 Natives than one in fulfilment of any contract engagement or promise  
 made by or on behalf of Her Majesty or of the Government of the  
 Colony, or in confirmation or satisfaction of any order or award made  
 by any Court of compensation or arbitration, or by any Agent of the  
 Crown or Commissioners appointed by the Governor or by the  
 20 Governor in Council, such grantees in the cases aforesaid shall be and  
 shall be deemed to have been, from the date of the grant or the  
 antevesting date therein (if any), whichever is earliest, tenants in  
 common and not joint tenants; but the estate or interest of each of  
 several of such grantees shall not be deemed to be equal, or of an  
 25 equal value, unless it has been so stated in their grant.

Provided always that this provision shall not apply to cases in  
 which the grantees or the survivors of them shall before the coming  
 into operation of this Act have alienated by sale lease or mortgage or  
 otherwise the land comprised in their grant, or to such part of the  
 30 land as they may have so alienated.

This provision shall not apply in any case where the grant is made  
 expressly to the grantees as joint tenants.

Provisions of Native  
Land Act extended  
to all Native grantees.

5. In any case where lands have been granted or shall hereafter be granted by the Crown in any manner aforesaid to more Natives than one, or in any case where a certificate of title in respect of any land shall have been issued or shall hereafter be issued to any Natives under the provisions of the fourth section of "The East Coast Act, 1868," then, and in every such case, all the provisions of any Native Land Act for the time being in force in regard to the subdivision or partition of lands, and all the provisions of any such Act that would be applicable in respect of such land or the owners thereof in case the title to such land had been obtained through the Native Land Court, shall be deemed to apply and may be applied in respect of the land comprised in any such grant or certificate of title issued or to be issued as hereinbefore mentioned, and in respect of the owners of such land, on and from the date of the order or award under or in respect of which any such grant or certificate of title may have been issued or may hereafter be issued, in the same manner as if the title to the land comprised in any such grant or certificate of title had been obtained through the Native Land Court constituted and acting under the provisions of any Native Land Act at any time in force in the Colony.

Lands in excluded  
districts.

6. The last foregoing provision shall be deemed to apply and may be applied in all cases, notwithstanding that the land comprised in any grant or certificate of title issued in any manner aforesaid may be included within the limits of a district which by Proclamation of the Governor shall have been specially excluded or withdrawn from the operation of any Native Land Act for the time being in force, and that such Proclamation shall not have been rescinded.