

PAPERS RELATIVE TO THE

One-tenth of blocks ceded by the Natives may be granted to them under Crown Title.

1. As part of any contract with Aboriginal Natives for the cession to Her Majesty of their rights in or over any block or parcel of land, it shall be lawful for the Governor in Council to agree that there shall be granted by the Crown unto, or in trust for the benefit of, all or any of the ceding parties, or unto, or in trust for the benefit of, any other Aboriginal Natives named or otherwise designated by the ceding parties, portions of such block, not exceeding in the whole one-tenth part thereof; and it shall be lawful for the Governor to make and issue such Grants accordingly.

Reserves may be made for the purpose of compensating Natives ceding their Territorial Rights, and Grants made thereout in consideration of such cession.

2. It shall be lawful for the Governor in Council from time to time to reserve lands over which the Native Title shall have been extinguished, and which shall appear adapted for the formation of Native Settlements, and from time to time, as part of any such contract for cession as aforesaid, to agree that there shall be granted by the Crown, portions of any lands so reserved, unto, or in trust for the benefit of, all or any of the ceding parties, or unto, or in trust for the benefit of any other Aboriginal Natives named or otherwise designated by the ceding parties; and it shall be lawful for the Governor to make and issue such Grants accordingly.

Grants may be in fee simple or for a less estate, and may create successive estates.

3. Any Grant made under this Act, may be either in fee simple or for any less estate or interest, and may contain any limitations or remainders, over, to, or in trust for the children or remoter issue of the original beneficiaries, together with all such powers of selling, exchanging, leasing or mortgaging, the hereditaments therein comprised, or any part thereof, and of appointing new Trustees of any Settlement effected by such Grants, and other powers and provisions whatsoever, as the Governor shall think fit.

Alienation of estates created by Grants may be restricted.

4. It shall be lawful for the Governor by the provisions of any such Grant, to prohibit the alienation or restrict the alienability of any such estate or interest created by such Grant, any Rule of Law or Equity to the contrary notwithstanding.

Limited rights of pre-emption over ceded blocks may be reserved in favor of Natives by contracts of cession.

5. It shall also be lawful for the Governor in Council, as part of any such contract for cession as aforesaid, to agree that the ceding parties, or any of them, shall have a right of preemption over any specific lands forming part of the ceded block, not exceeding in area one-tenth part thereof, at a price to be fixed by such contract, being not less than at the rate of ten shillings per acre; such right of preemption to be exercised within a specified time, not exceeding one month after the extinguishment of the Native Title over such block.

Right of preemption over homesteads may be allowed to European residents upon ceded blocks.

6. It shall also be lawful for the Governor in Council, to permit any person who, for a period of five years previous to the passing of this Act, shall have resided on land over which the Native Title has not been extinguished, to select out of such land, within three months after the extinguishment of the same, and upon such conditions as the Governor in Council shall prescribe, a section of land not exceeding 300 acres in area, including, and adjacent to, the site on which such person shall have resided; and it shall be lawful for the Governor to make and issue Grants of any sections so selected: Provided that no Grant shall be issued or made for any land selected as last aforesaid, unless and until the sum of ten shillings per acre, for every complete acre of land to be so granted, shall have been paid to the Colonial Treasurer as the price thereof—which payment shall be made by instalments or otherwise, at such time or times, being within the period of five years from the date of the permission to select, as the Governor in Council shall appoint.

Commencement of Act.

7. This Act shall not come into operation until Her Majesty's pleasure shall have been taken thereon, and the same shall have been confirmed by Her Majesty, with the advice of Her Privy Council, and a Proclamation of such confirmation having been given, shall have been made by the Governor, or Person administering the Government of New Zealand.

Short Title.

8. The Short Title of this Act shall be, "The Native Crown Grants' Act, 1860."

III.

The Native Crown Titles Act, 1860.

AN ACT for regulating the Tenure, Descent, and Disposal of Lands held under Crown Grant by persons of the Native Race in the Colony of New Zealand.

WHEREAS it is expedient to make provision for the Tenure, Descent, and Disposal of Lands held under Crown Grant by persons of the Native Race in the Colony of New Zealand,

BE IT THEREFORE ENACTED by the General Assembly of New Zealand, as follows:—

1. Whenever any lands shall be or shall have been granted by the Crown to any person of the Native Race, it shall be lawful for the Governor to declare by any Crown Grant or otherwise, by any written instrument under his hand either before or after the issuing of such Grant, that the lands so granted, or any part thereof, shall not be alienated by the Grantee without the license of the Governor, or some person or persons to be specially appointed by him in that behalf.

2. No land respecting which such Declaration shall be made, shall be alienated by the Grantee without such license.

3. The Governor may from time to time appoint and authorise any person whom he shall deem fit to issue licenses for permitting the alienation of lands by persons of the Native Race.

4. All such appointments shall be notified in the Public Gazette of the Colony.

5. Every License of alienation under this Act shall be in the form or to the effect in Schedule to this Act.