

New Zealand.

ANNO VICESIMO NONO

VICTORIÆ REGINÆ.

No. 11.

ANALYSIS.

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| Title. | | 4. Maori title to land determined according to custom of the Maori people. |
| Preamble. | | |
| 1. Short Title. | | 5. In actions involving questions of Maori title Judge before whom tried shall direct issues for trial before Native Lands Court. |
| 2. All persons of Maori race deemed natural-born subjects. | | |
| 3. All Courts of Law declared to have jurisdiction over persons and property of the Maori people. | | |

AN ACT to declare that the Maoris shall be deemed to be natural-born subjects of Her Majesty and to declare that the jurisdiction of the Queen's Courts of Law extends over the persons and properties of all Her Majesty's subjects within the Colony.

[26th September 1865.]

WHEREAS doubts have been raised whether certain persons of the Maori race are natural-born subjects of Her Majesty and whether Her Majesty's Courts of Law within the Colony of New Zealand have jurisdiction in all cases touching the persons and property of the Maori people and it is expedient that all such doubts should be removed

BE IT THEREFORE DECLARED AND ENACTED by the General Assembly of New Zealand in Parliament assembled and by the authority thereof as follows—

I. The Short Title of this Act shall be "The Native Rights Act 1865."

II. Every person of the Maori race within the Colony of New Zealand whether born before or since New Zealand became a dependency of Great Britain shall be taken and deemed to be a natural-born subject of Her Majesty to all intents and purposes whatsoever.

III. The Supreme Court and all other Courts of Law within the Colony ought to have and have the same jurisdiction in all cases touching the persons and the property whether real or personal of the Maori people and touching the titles to land held under Maori Custom and Usage as they have or may have under any law for the time being in force in all cases touching the persons and property of natural-born subjects of Her Majesty.

IV. Every title to or interest in land over which the Native Title shall not have been extinguished shall be determined according to the

Native Rights.

custom of Maori
people.

Ancient Custom and Usage of the Maori people so far as the same can be ascertained.

In actions involving
question of Maori title
Judge before whom
tried shall direct issues
for trial before Native
Lands Court.

V. In any action in which the title to or any interest in any such land is involved the Judge before whom the same shall be tried shall order that any issue or issues in such action in which such title or interest is involved whether they be issues of fact or of Maori Custom or Usage shall be tried in the Native Lands Court and the Judge of the Native Lands Court before whom the same shall be tried shall return the verdict or judgment as the case may be into the Supreme Court and such verdict or judgment shall be taken as conclusive both as to fact and as to the Maori Custom or Usage and shall be dealt with by the Supreme Court in the same manner and shall have the same effect as the verdict of a jury in the Supreme Court.