



Native Grantees Act 1873

1873

- Citation:** 37 V. No 58
Date of Assent: 2 October, 1873
Commencement: 1 January, 1874
- Repeal:** Repealed 1886, No 74
Amendments: –
Type of Legislation: Public
Subject: Maori Land Court: Structures & Jurisdiction
Status of Land
- Relevant Sections:** s4: In any Crown grant that has been, or shall be, made to more than one Native, the grantees shall be, and be deemed to have been, tenants in common and not joint tenants.
s5: In any case where land has been granted to Natives by the Crown, all the provisions of the Native Lands Act in force at the time relating to partition of lands shall be deemed to apply.
- Commentary:** The long title states that the purpose of the Act is “*to define the interests of Natives in Lands held by them jointly under Crown Grant, and to extend the operation of the Native Land Act 1873 to such lands*”. This gave the NLCT jurisdiction in cases concerning land owned by Maori under a Crown grant even though that land had not been passed through the NLCT. An important provision is that owners shall hold land as tenants in common rather than joint tenants. This means that upon the death of an owner his/her share would go to their successors rather pass over to the other surviving owners. However, it also means that Native title was further modified towards individualized title. The bill was hurried through parliament.
- Cross Reference:** NZPD vol 15 (1873) 1533 - 1537.