

## SECTION 121 HOKOWHETU

Township of Upper Hutt – Township of Keyville declined – Hokowhetu

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1940s John Deighton – 1851 Native Reserve/ Hemi Parai & Others –

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1851 Whare -

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Streets

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### 1840-1850

#### Section No 121 Hutt Valley (Upper)

- This Section was selected by Captain SMITH for John DEIGHTON the original owner of Preliminary Land Order No 553

*(Source Archives New Zealand Wellington reference ADXS 19555 LS-W65 3 43 register of Hutt Valley selections and also outwards letters October 1848 to November 1850)*

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### 1850-1860

#### Section No 121 Hutt Valley (Upper)

- John DEIGHTON transferred to Samuel DEIGHTON 27 May 1850 No Regt in New Zealand 405. 150 acres Compensation issued to Samuel DEIGHTON in New Zealand.
- This Section and the adjoining Section No 120 was leased to certain NATIVES for three years from 02nd April 1851 with the right to purchase for the sum of £150 Grant No 4266 to Hemi PARAI dated

*(Source Archives New Zealand Wellington reference ADXS 19555 LS-W65 3 43 register of Hutt Valley selections and also outwards letters October 1848 to November 1850)*

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### 1860-1870

### 1870-1880

Part Section 120 and 121 Land Grant to Hemi Parai letter dated 12 August 1874

Re 120 & 121 Upper Hutt

Mr Lewis

Mr Jackson states that some of the plans of the subdivisions of the above sections are incorrect and that he cannot advise Crown Grants to be prepared upon them. But he knows of no reason why a grant should not issue for the whole.

Would it not be practicable to prepare a Grant for the whole to Hemi Parai and leave it to him to convey to the others, who with him have paid for the land? He was promised a Grant for it when it was purchased for them by Sir George Grey from the Messrs Deighton

Charles Heaphy 12 August 1874

David Lewis Esq.

Com. For NZ Comp Land Claims NZ

*[In red at the top of the page is – 74/458 Committee Native Reserves Suggesting that Hemi Parai should receive Grant for sections 120 & 121 Upper Hutt 18 August 1874]*

Over the page

Mr Holdsworth Will you be good enough to reply to Major Heaphy query signed David [sic] Lewis 13.8.74

Referred to Mr Jackson 18/8/74

Crown Grant for Natives Nos 120 & 121 Hutt District Can be prepared forthwith 18 August 1874

*(Reference Archives New Zealand Wellington ADXS 19480 LS-W2 26 1874/458 from Charles Heaphy Commissioner Native Reserves Upper Hutt 12 August 1874 Suggesting that Hemi Parai should receive grant for Sections No 120 and 121 Upper Hutt 1874)*

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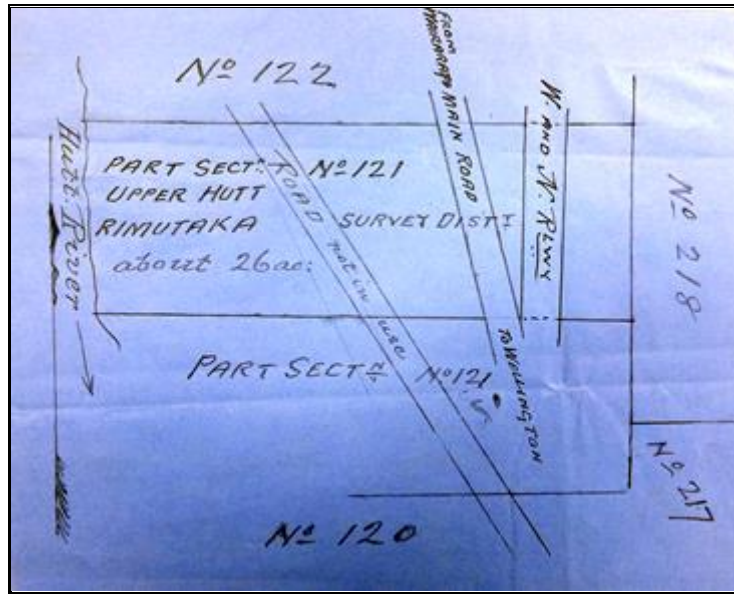
### 1880-1890

### 1890-1900

1897-1898 Survey of Hokowhetu Section 121 Upper Hutt

- 11 October 1897 = Plan of section 121 (2 parts), section 122, section 120, section 218 – section 217 from Hutt River to Wellington to Napier Railway. Image above saved as – “UHSection121ANZADXS19483LS-W11345R16828DSCF4604.jpg”.
- 08 October 1897 = application for survey of Hokowhetu (part section 121 Upper Hutt) Rimutaka district – north by section 122, south by part section 121, east by part section 218 and west by the Hutt River – memo to Registrar Native Land Court
- 09 October 1897 = letter from Taita William S Buck to Marchant Esqr., Chief Surveyor Wellington Sir I have the honour to herewith enclose an application form Natives for the Survey of part Section No 121 Upper Hutt
- 25 October 1897 = Schedule [Native Land Act 1886] application Hokowhetu part section 121 Upper Hutt survey 1a 1b 26 acres Rimutaka Survey District - Natives applying [1] Rawinia te Kura, [2] Tera Taira, [3] Hinga Te Hukarere, [4] Tipare Te Hukarere & [5] Pole Brown [sic]
- 25 October 1897 = Letter from Chief Surveyor to W S Buck surveyor Taita regarding the Hokowetu or part section 121 Hutt subdivision 1a & 1b which was transferred to the Native Land Court
- 01 November 1897 = Form Hokowetu or part of Section 121 Upper Hutt subdivision 1a & 1b Rimutaka District
- 04 November 1897 = memo Chief Surveyor particulars of survey of Hokowhetu
- 24 November 1897 = memo from William S Buck to Chief Surveyor report
- 28 November 1897 = memo plans received from W S Buck
- 01 December 1897 = Memorandum to W S Buck from Chief Surveyor
- 06 December 1897 = letter from William S Buck to Chief Surveyor regarding field notes for section 121 Upper Hutt
- 25 January 1898 = Report of survey Hokowhetu
- 25 January 1898 = Letter from Chief Surveyor to W s Busk report after examining plans
- 16 February 1898 = report Chief Surveyor re-examination of W S Bucks plans
- 17 February 1898 = report from Chief Surveyor to W S Buck amendments to plans
- 19 March 1898 = Letter Taita Hutt from William S Buck to Chief Surveyor re altered plans
- 23 March 1898 = report Chief Surveyor
- 30 March 1898 = Memorandum from Chief Surveyor
- Cover Sheet reference 16828 survey of section 121 Upper Hutt
- Notes Hokowhetu part section 121 Hutt measurements of land signed by C Brown
- 04 April 1898 = Letter Taita Hutt from William S Buck to Chief Surveyor regarding the enclosed application for survey of 1A & 1B of the Hokowhetu Block situated in Upper Hutt
- November 1897 [sic] = invoice from Native Land Courts for £10 for William S Buck to lay off Subdivision No 1A and 1B of part Hokowhetu part Section No 121 Hutt Rimutaka Survey District
- 13 April 1898 = Cover note from James Mackenzie on behalf of
- 27 May 1909 = Memo from Land Transfer Office Wellington 1032/32 W.D. 1485 “A” plus other notes
- 13 April 1898 = copy of letter from Chief Surveyor to W S Buck regarding Hokowhetu part of section 121 Hutt subdivision 1A & 1B and payment by the Native Land Court

*(Reference Archives New Zealand Wellington ADXS 19483 LS-W1 345 16828 Survey of Section 121 Upper Hutt 1897-1898)*



(Source Archives NZ Wellington reference ADXS 19483 LS-W1 345 record 16828) [218 & 217 are wrong section numbers]  
Hokowhetu was the name given to the area of land covering part section 121

#### 1897-1898 Folder of papers covering the survey and correspondence of Section 121 Upper Hutt

- Map of part section 121 (received 11 October 1897) image saved IMG\_
- To William S Buck Wellington Application for Survey Hutt 08 October 1897 Hokowhetu (part section 121 Upper Hutt) 26 acres situated in Survey district Rimutaka described as [a] North by Section 122 [b] South by part section 121 [3] East by part section 218 [4] West by the Hutt River for Crown Grant
- On other side of the Application everything was typed in Maori with written works Heretaunga Oketopa – Toneke – Wiri Pakea – Hokowhetu Tekahana \_\_ Hertaunga Poneka – Karauna Karati signed below Raiui nia te Kura & Tera Taura & Hinga te hukarere & Tikare Tehukarere & Tamakaha & Enoka Taitea & Kaiwhai & \_\_
- Native Land Court question are person sole owners – answer Sole Owners question It this an application for hearing or order MLC Please
- Letter Taita 09 October 1897 Marchant Esquire Chief Surveyor Wellington, Sir, I have the honour to herewith enclose an application from Natives for the Survey of part of Section No 121 Upper Hutt. I have the honour to be Sir, Your obedient Servant William S Buck – to Mr Brown 14 October 1897
- Native land Court Block Howhetua part section 121 Upper Hutt Rimutaka Survey district – name of natives Rawinia te Rura & Tera Taira & Hinga Te Hukarere & Tipare Te Hukarere sole owners of 26 acres Native Owners – Reports [1] These are orders of survey made by the Native Land Court [2] No opposition to the survey is anticipated [3] It would not be advisable to employ a staff surveyor [4] The survey consists of pegging and otherwise defining the boundaries on the ground [5] The native owners have requested the usual form of authorisation [6] the authority should be issued for three months
- N S Buck Authorised Surveyor Taita Hutt 25 October 1897 – Hokowhetu of part Section 121 Hutt sub district 1A & 1B. In reply to your letter of the 9<sup>th</sup> instant conveying nomination for the survey of the above mentioned subdivision which has been referred to the Registers Native Land Court for verification. I have the honour to inform you that I have today recommended issue of the authority in your favour and when to hand will be posted to you
- Schedule from Department of Lands and Surveys 01 November 1897 - 25 October 1897 Block Hokowhetu or part of section 121 Upper Hutt subdns. 1A & 1B Rimutaka district 26 acres Cost to be paid by applicants as Government not liable
- 14 November 1897 Rimutaka Survey District to William S Buck Taita from Chief Surveyor – The survey of Hokowhetu or part of Section 121 Upper Hutt Subdivisions 1A and 1B consists of pegging and otherwise defining on the ground the boundaries ordered by the Native Land Court. The survey is to be commenced within one month of the date of the Surveyor General authority and finished within three, on the expiration of which time this authority will lapse. Is

- a lieu is required to be lodged a voucher will only be certified if in accordance with the new schedule rates. Signed Chief Surveyor
- William S Buck Taita Hutt 27 November 1897 Sir I beg herewith to forward my survey of part section No 121 (Hokowhetu) Upper Hutt together with tracing and has reductions for your inspection
  - Plans Received schedule from W S Buck referred to Mr Brown as to Court orders 25 January 1898 Native Survey Hokowhetu part of Section 121 Hutt plan tracing per sheet
  - Memorandum 01 December 1897 from Chief Surveyor to W S Buck Taita – letter of 27 instant will you kindly forward field notes of the survey and plan will be checked in its turn – Horowhetu part of Section 121 Hutt
  - Letter from William S Buck Taita Hutt 06 December 1897 – I W A Marchant Esquire Chief Surveyor Wellington Sir, I beg herewith to enclose field notes of my survey of Horowhetu Section 121 Upper Hutt and also field noted of Wairere Native Reserve Porirua, I am Sir yours faithfully William S Buck
  - Notes Mr W S Buck plan Horowhetu part section 121 Hutt district – 1 plan, 1 tracing, trav sheet & notes. Plan agrees with trav sheet and field notes except undermentioned clerical errors. – 1<sup>st</sup> line on trav sheet 84.04 should be 48.04 – 3<sup>rd</sup> line on trav sheet 392.8 should be 398.2 on field notes E Cdy 171.32 should be 172.31 – plane agrees with prior surveys – According to proclamation the railway land is bounded by the road in this section the small portion shown between road and railway on this plan will therefore have to be excluded from these subdivision before areas can be checked or examination completed. I know nothing else to prevent plan being passed. C A M Crombie 25 January 1898 – Also on line between subdivisions 1200.9 and 1849 should apparently be 1200 and 1850 respectively
  - Copy letter sent W S Buck from Chief Surveyor 25 January 1898 same as above
  - Re Examination of W S Buck plan of Hokowhetu – The surveyor has complied with requisition dated 25 January 1898 but apparently the new area for Section No 1B should be 14.1.05 not 14.0.30.8 difference 14.2 perchas – Further examination also discloses the fact that boundaries of No 1B & 1A on Main Road should be 262.6 and 221.9 instead of 262.8 and 177.6 respectively. The latter is evidently a clerical error – C A H Crombie 16 February 1898 – Inform surveyor and ask him to please verify and amend
  - Chief Surveyor to W S Buck Taita 17 February 1898 – more measurements and amendments
  - William S Buck Taita 19 March 1898 to I W A Marchant Esquire – Sir I beg herewith to return plan of Horowhetu with alterations made as requested in your Memo No 16828 I have the honour to be Sir Your obedient Servant William S Buck
  - Memo 23 March 1898 (much to same information as above)
  - Memorandum 30 March 1898 to W s Buck plan had been examined
  - Cover sheet Survey of Section 121 Upper Hutt
  - Hokowhetu Part section 121 Hutt open Country - 49 chains, 7 chains, 49 chains, 4 chains, total traverse 109 chains 1 mile 29 chains - 1 mile 29 chains at £6 per mile = £8. 3s. 6d., 1 chainman at 7/- per day = 7s, Travelling to the work £2 per day = total £10. 10s. 6d. - Office £10. 10s. 6d, Mr Buck £10, difference 10s. 6d. C Brown
  - William S Buck Taita Hutt 04 April 1898 to J W A Marchant Esquire enclosed application
  - Cover sheet to the Native Land Court and Native land Owner re section account £10 claimed by William S Buck
  - Cover note Hokowhetu part of Section 121 Subdivision 1A & 1B containing 26A 3R 17P signed James Mackenzie on behalf of the –
  - Land Transfer Office Memo The Chief Draftsman plan 1032/32 W.D. 1485 “A” I have to bring under your notice that the distance 432.57 is measured it should be 232.57 (comment about amending plan etc.
  - Chief Surveyor 13 April 1898 to W S Buck Taita – Hokowhete part section 121 Hutt Subd. 1A & 1B. In reply to your letter of the 4<sup>th</sup> instant I have the honour to inform you that your voucher for lieu against the survey of the above mentioned subdivision had been duly certified and is returned herewith together with certificate and from to enable you to apply to the Native Land Court for a charging order in terms of the N L Ct Act 1894 signed Chief Surveyor
- (Reference Archives NZ Wellington ADXS 19483 LS-W1 345/ 16828 Survey of Section 121 Upper Hutt 1897-1898)*

**TO BE TRANSCRIBED OR COPIED**

(Reference Archives NZ Wellington ADXS 19483 LS-W1 345/ 16828 Survey of Section 121 Upper Hutt 1897-1898)

**1900-1910**

**Township of Cromer Upper Hutt – 1907 – section 120 & 121**

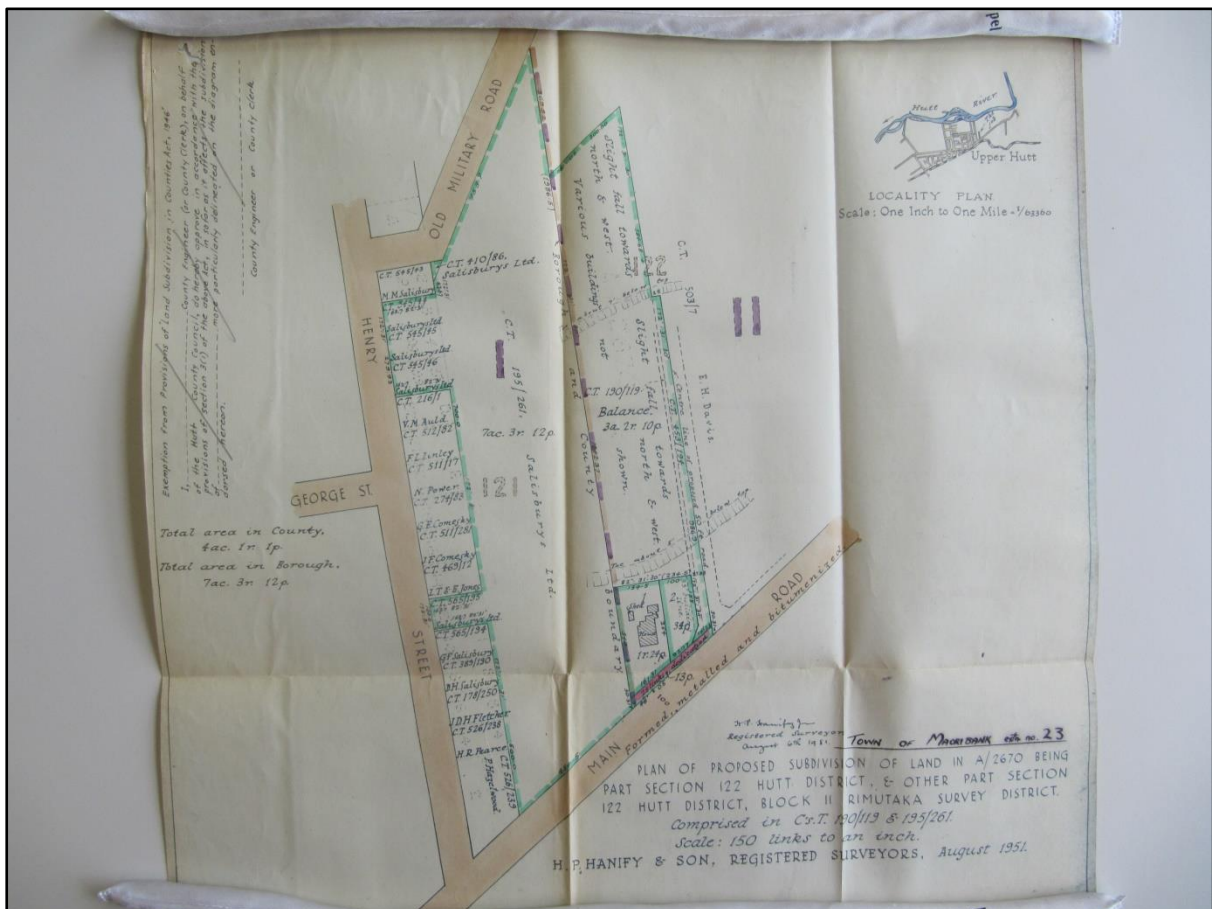
The Upper Hutt “Township of Cromer” proposal for part sections 120 & 121 Block 1 Rimutaka district I believe was not approved and as a result the subdivision did not go ahead. The details below, is the only information I have been able to locate regarding the “Township of Cromer”.

**Archives New Zealand records section 120 & 121**

- 01 October 1907 = letter from Seaton & Sladden Civil Engineers Wellington to Chief Surveyor requesting approval for proposed township of Cromer Upper Hutt being part of section 120 and 121 Block 1 Rimutaka S D
- 11<sup>th</sup>, 13<sup>th</sup> & 19<sup>th</sup> October 1911 = Examiners report on Upper Hutt Extension No 2 part section 120-121 and closed road block 1 Rimutaka SD includes 3 page document 55 items covered
- 10 October 1911 = Report form Department of Lands and Surveys by Chief Surveyor regarding Upper Hutt Extension No 2 parts sections 120-121 Hutt and closed Road Block 1 Rimutaka S D by surveyor Seaton and Sladden Wellington 9 items reported [1] surveyor’s reply This survey made in 1908 was made from a rough working plan and no field book was kept [9] surveyor’s reply we regret that the Town Board should have used this space in spite of our request that it should not be so used

(Reference Archives New Zealand Wellington ADXS 19483 LS-W1 497/ 25165 Upper Hutt extension No 2 part of sections 120-121 Hutt closed road Block 1 Rimutaka Survey District 1907-1911)

**1950-1960**



(Reference Lynly Image saved as IMG\_2222 & Archives NZ Wellington AAMA W3110 619 box 126 f 14/88/23 Town of Maoribank extension 23 Salisbury Limited years 1951-1954)

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## 1900-1910

### 1907 to 1910 Township of Keyville & Upper Hutt Township Section 121, 120, 119, 88, 91 & 92

- 03 July 1907 from Chief Surveyor to Surveyor General Township of Upper Hutt – old road on **Section 121** bit does not exist on ground – Henry Street is a new one - (brief transcription)
- 08 July 1907 from Surveyor General to Chief Surveyor return tracing of proposed Township of Keyville submitted for approval. I shall recommend the width of Henry Street be restricted to 66 feet. Better be styled "Upper Hutt Extension" - (brief transcription)
- 16 July 1907 from Chief Surveyor to Surveyor General Upper Hutt Extension No 1 new tracings (brief transcription)
- 19 July 1907 from Under-Secretary to Hon Minister of Lands Township of Upper Hutt Extension No 1 recommend Governor approve plan and laying off of Henry Street and Main Streets (2 copies)
- 19 July 1907 Authorizing the laying off of Henry Street in Township of Upper Hutt Extension No 1 – Robert McNab Minister of Lands signed
- 19 July 1907 memo His Excellency the Governor is respectfully advised to sign as approved (brief transcription)
- 25 July 1907 from Surveyor General to Chief Surveyor Upper Hutt Extension No 1 Township plan approved by Governor
- 19 July 1907 Documentation from Minister of Lands authorizing laying off of Henry Street etc.
- 04 October 1907 from Chief Surveyor to Surveyor General Township of Upper Hutt Extension No 2 forward plan for approval
- PLAN of proposed Upper Hutt Extension No 2 part **sections 120 & 121** Block 1 Rimutaka SD copy of plan approved by Governor 16/10/1907 – Exchange Street – Cairo Street – King Street – Queen Street – Sinclair Street – Hay Street Hutt Main Road - Park Street – McParland Street – Closed Road (Old Company/Old Military Road) saved 30/08/2017 as IMG\_
- 16 October 1907 Authorising the laying off of certain street in Township of Upper Hutt Extension No 2 authorised by Robert McNab Minister of Lands – Park Street – Exchange Street – Cairo Street – Sinclair Street – Hay Street – King Street – Logan Street
- 14 October 1907 from Surveyor General to Minister of Lands Upper Hutt Extension No 2 recommendation to Governor (2 copies)
- 17 October 1907 from Minister of Lands Authorising the laying off of certain streets as above
- 14 October 1907 His Excellency the Governor is respectfully advised to sign Upper Hutt Township Extension No 2 (form)
- 19 October 1907 from Surveyor General to Chief Surveyor memo plan approved by the Governor
- PLAN Upper Hutt Extension No 3 – Hutt River – Pine Avenue – Willow Grove – Poplar Grove – Hazel Street – Elm Street – Oak Street – Park Street – McParland Street – Hutt Road saved 30/08/2017 as IMG\_
- PLAN of all sections in the Upper Hutt district from Silverstream to Te Marua saved 30/08/2017 as IMG\_
- PLAN Locality Plan of Upper Hutt Extensions – image of streets extension No 2 in **Section 120** part Park Street, Logan Street, Sinclair Street, Queen Street, King Street, Cairo Street, Exchange Street, Main Hutt Road – image of streets extension No 3 in part **Section 119** part Park street, McParland Street, Pine Avenue, Oak Street, Elm Street, Hazel Street, Poplar Grove, Willow Grove, Hutt Main Road – image of street marked extension No 4 in park **Section 119** Riverbank Street Victoria Street, Alexandra Street, Royal Street, King Street (Gibbons Street), Hutt Main Road saved 30/08/2017 as IMG\_
- 23 September 1908 from Chief Surveyor to Surveyor General Plan of Town of Upper Hutt Extension No 3 forward plan for above town state that Willow Grove, Poplar Grove, Hazel, Elm, Oak, Park and McParland Street are new streets. Pine avenue is an old public road recommend approval from Governor
- 28 September 1908 from Surveyor General to Minister of Lands Proposed Township of Upper Hutt Extension No 3 request for approval laying off of Willow,Grove, Poplar Grove, Hazel



- Street, Elm Street, Oak Street, Park Street And McParland Street in above Township (2 copies)
- 28 September 1908 (official form) his Excellency the Governor is respectfully advised to approve plan
  - 05 October 1908 from Surveyor General to Chief Surveyor Upper Hutt Extension No 3 Township plan approved by Governor
  - 28 September 1908 from Minister of Lands Robert McNab authorise paying off of Willow Grove, Poplar Grove, Hazel Street, Elm Street, Oak Street, Park Street and McParland Street for Township of Upper Hutt Extension No 3
  - 17 June 1909 from Chief Surveyor to Surveyor General Upper Hutt Extension No 4 (Mr R R Richmond Surveyor) plan for approval – King Street is a public Road – Pine Avenue is also a Public Road – Alexandria, Victoria and River Bank Streets are new streets – allowed for widening of Pine Avenue
  - 28 June 1909 Surveyor General to Minister of Lands Town of Upper Hutt Extension No 4 request authorise the laying off of RIVERBANK, VICTORIA AND ALEXANDRA streets in above town (3 copies)
  - 30 June 1909 from Chief Surveyor to Surveyor General Upper Hutt Extension No 5 forward plans for approval – King Street is a public road – Pine Avenue is a public road and has been widened – Royal Street is a new street and runs between Main Hutt Road and Alexandra Street which is included in a former Town Upper Hutt extension No 4
  - Note on scrap paper re Upper Hutt Township Extension No 5
  - 03 July 1909 from Survey General to Chief Surveyor Town of Upper Hutt Extension No 5 laying off of Royal Street
  - 30 June 1909 (official form) Minister of Lands sign for approval extension No 4
  - 03 July 1909 from Surveyor General to Chief Surveyor Town of Upper Hutt Extension No 5 recommendation to Governor to approve plan laying off of Royal Street (2 copies)
  - 03 July 1909 from Surveyor General to Chief Surveyor Upper Hutt Extension No 4 return plan approved Riverbank, Victoria and Alexandra Streets
  - 30 June 1909 Authorising the laying off of Riverbank, Victoria and Alexandra Streets in Town of Upper Hutt Extension No 4 noted Gazette No 57 page 1800 08 July 1909
  - 07 July 1909 Minister of Land (official form) advised to approve
  - PLAN **Section 119** – Main Hutt Road - King Street - Alexandra Street – Royal Street – Convent land – Roman Catholic Church saved 30/08/2017 as IMG\_
  - 12 July 1909 from Surveyor General to Chief Surveyor Town of Upper Hutt Extension No 5 Royal Street to be approved
  - 07 July 1909 from Minister of Lands Authorising laying off of Royal Street in Town of Upper Hutt Extension No 5 as authorised by David Buddo acting Minister of Lands
  - 04 October 1909 from Chief Surveyor to Surveyor General Plan of Town of Upper Hutt Extension No 6 forward plan for approval
  - 27 October 1909 from Survey General to Chief Surveyor Town of Upper Hutt Extension No 6 refer memo for approval
  - 19 November 1909 from Chief Surveyor to Surveyor General Town of Upper Hutt Extension No 6 subdivision for weekend Country Cottages overlooking gold links (no streets mentioned)
  - Memo hand written re Town of Upper Hutt Extension No 6
  - 15 December 1909 from Surveyor General to Chief Surveyor Town of Upper Hutt Extension No 6 subdivision (plan returned)
  - PLAN of proposed new Town of Upper Hutt Extension No 6 part of **section 88** Hutt Block 1 Rimutaka SD – formed Road cutting – Mawaihakona Stream – Back of old Orchard – lots 2, 3, 4, & 5 saved 30/08/2017 as IMG\_
  - 21 March 1910 from Surveyor General to Chief Surveyor Town of Upper Hutt Extension No 6 tracing prepared by Mr Inspector Climie who visited the ground – Mawaihakona Stream
  - 24 March 1910 from Commissioner of Crown Lands to Surveyor General Town of Upper Hutt Extension No 6 cannot see way to alter proposal at this point the business now stands
  - 02 August 1910 from Chief Surveyor to Surveyor General Upper Hutt Extension No 7 – Main Hutt Road is public – Nimrod Street, Sievwright Avenue abd Shackleton Crescent are new roads – (Also Mr Barton has abandoned his Upper Hutt Extension No 6)

- 29 August 1910 from Survey General to Minister of Lands Town of Upper Hutt Extension No 7 laying off of NIMROD street, SHACKLETON Crescent and SIEVWRIGHT Avenue
- 16 September 1910 His Excellency the Governor is respectfully advised to sign as approved (official for)
- 16 September 1910 from Minister of Lands (official form) Authorizing laying off of NIMROD STREET, SHAKLETON CRESCENT & SIEVWRIGHT AVENUE I Joseph George Ward do hereby authorise the laying off Upper Hutt Extension No 7
- 21 September 1910 from Surveyor General to Chief Surveyor Town of Upper Hutt Extension No 7 plan approved by Governor

(Reference Archives NZ Wellington ACGT 18190 LS1 1798 25/349 Township Upper Hutt years not dated)

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### 1910-1920

#### 1911-1912 Upper Hutt Township Section 121, 91 & 92

- 20 March 1911 from Chief Surveyor to Surveyor General Plan of Upper Hutt Extension No 8 Main Road is public – new street
- 31 March 1911 from Department Of lands memo Upper Hutt Extension No 8 submitted for your signature
- 03 April 1911 Minister of Land (Official form) advised to sign
- 05 May 1911 from Chief Surveyor from Surveyor General Plan of Upper Hutt Extension No 9 Part Section 91 and 92 plan Messrs Seaton and Sladden for approval
- 10 May 1911 from Survey General memo Minister of Lands Town of Upper Hutt Extension No 9 plan to Governor for approval ( 2 copies)
- 12 May 1911 Minister of Lands (Official form) sign approved plan Upper Hutt Extension No 9 Town
- 20 May 1911 Town of Upper Hutt Extension No 9 Surveyor General to Chief Surveyor return plans approved by Governor
- 11 October 1912 Town of Upper Hutt Extension No 6 from Chief to Surveyor General case of private subdivision of a town being made

(Reference Archives NZ Wellington ACGT 18190 LS1 1798 25/349 Township Upper Hutt years not dated)

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### 1940-1950

#### 1947- Upper Hutt Township & Section 121, 119, 120, 121, 122, 217 & 218

- 26 May 1947 Minister of Lands to Mrs MGF Benge Ebden Town Upper Hutt acknowledge letter (2 copies)
- 03 June 1947 Ebden Town Upper Hutt Surveyor to Chief Surveyor enclosed latter from Mrs MGF Benge regarding old subdivision
- PLAN Part Old Military Road closed on SD plans 15766 x 18145 on **sections 120 and 121** – Exchange Street - Hutt Road – Ebden Town Road saved 05/09/2017 as IMG\_
- PLAN Old Military Road Hemi Parai Grantee 1875 **Section 119, 120, 121, 122 217 & 218** saved 05/09/2017 as IMG\_
- PLAN Part Old Military Road May Olive Francis Benge **Section 121** lots 19, 17, 15, 13 from Keys 6/3/1924 conveyance 139325 & W Ebden to J Munro Purchaser 7/12/1876 conveyance 25866 Lots 13, 15, 17, 19, 21 on plan 23830 saved 05/09/2017 as IMG\_
- PLAN of Street to be closed through **Section 121** Hutt Registration District Block I Rimutaka SD Borough of Upper Hutt – Cairo Street, Exchange Street, Ebden Town Street – E E Jenkins & Agnes McCallan & J R Wyeth & M O Benge & A W Jones & A Southee & E J Beavis saved 05/09/2017 as IMG\_
- Letter 19 May 1947 written by May Olive Francis Benge to Mr Skinner (3 pages) saved 05/09/2017 as IMG\_
- 13 June 1947 from Chief Surveyor to Surveyor General about Ebden Town Upper Hutt Mrs MOF Benge - Referring to your memo of the 3<sup>rd</sup> instant I enclose therewith a photocopy of SO plan 21393 which shows the areas referred to by Mrs Benge which are parts of **Section 121** Hutt District. I also enclose two paper tracings of searches made in connection with the questions raised. The position is as follows:  
By Crown Grant dated 1875 a public road (bearing) 100 links wide was excepted from Section 121. This road is shown on a number of plans and was known as “Old Military Road”. Since



the issue of Crown Grant several portions have been closed to the north and south of areas on SO 21393. In December 1875 part of Section 121 was acquired (by Deeds Conveyance) by W Ebden who subdivide the area shown on tracing attached to Conveyance 23830 dated 1876 – see paper tracing. The access for the numerous lots is shown on tracing as a “Private Road 33 feet wide” whilst the conveyance refer to “Right of Way”. “Old Military Road” is also thereon and area (0-1-04) of each lot would include portions of this Crown Grant Road. By Conveyance 25866 dated 1876 W Ebden sold lots 13-15-17-19 and 21 to J Munro containing 1ac 1rd 20 per. The diagram on this conveyance shows “Old Military Road” and wording states “Subject to the public road coloured yellow”. Some subsequent conveyances have not by diagram or wording referred to Old Military Road. Finally on 06/03/1924 Mrs Benge acquired Lots 13, 15, 17 & 19 by Conveyance No 139325 and no reference was made to Old Military Road. (Pt 13 was subsequently sold) – See paper tracing. On 02/03/1929 CT 352/27 Limited issue in the name of MOF Benge excluding Old Military Road as shown by diagram on tracing. As there is no evidence of closing Old Military Road it would appear from the search that the conveyance from Keys to Benge dated 06/03/1924 erroneously included a public road. This was not the fault of any Government Department. It was a mistake on the part of private conveyance who drew the deeds up. At that time title to the land was not guaranteed not being under the L.T. Act. It would also appear that the original Ebden Town Road 50 Links wide has not been legalized. Note in several places it has been widened by dedication and proclamation and at the present time SO plan 21412 lodged on 14/05/1946 which shows further proposed widenings is under check. The question of Old Military Road and the adjoining titles was raised by Mr H P Hanify in November 1945 and SO 21393 was lodged on the 05/03/1946 in this office for the purpose of closing this part of the street. Messrs Mazengarb Hay & Macalister who are apparently Mrs Benge’s Solicitors made verbal enquiries as to the procedure for closing the street coloured green on SO 21393. This office advised closing in pursuance of Section 175 (H) 5<sup>th</sup> Schedule Clause 12 Municipal Corporation’s Act 1933 for until the street was closed by formal operation of law neither Mrs Benge nor any other person could acquire any title to it. This plan was checked and approved on 07/10/1946 some delay being due to requisitions on plan and shortage of staff and pressure of work. This was explained to I believe Mr Dunstan who made enquiries as to what progress was being made at that time. The closing of the street was effected on 07/10/1946 when SO plan 21393 was noted as required by the above mentions Section and the evidence numbered K26349 has been registered on CT 352/27. At the time of survey the Surveyor placed several pegs shown on SO 21393 indicating street widening and a subdivision of CT 352/27 and the adjoining parts of Old Military Road for which it would be necessary for Mrs Benge to acquire title. This matter at the time was referred to the District Land Registrar when the Solicitors made enquiries as to requirements for the issue of a Certificate of Title for the purchaser of part of Mrs Benge’s land. He advised that firstly evidence under seal (accompanied by a sketch) by the Upper Hutt Borough Council certifying that Ebden Town Road 50 links wide was a street within the meaning of Section 174 Municipal Corporations Act 1933 should be lodged. Secondly the strip approximately 5 links wide along the western side of Street should be dedicated and at the same time an Order In Council exempting from widening in pursuance of the Public Works Act 1928 was necessary. (Note original width is only 33 feet). This O.I.C. Numbered 2056 was lodged on 13/05/1947 but awaits the transfer for Street widening. The O.I.C. and transfer by way of dedication will be registered simultaneously. Thirdly the Upper Hutt Borough Council should apply for a Certificate of Title for the part of Old Military Road closed by K26349 to be followed by transfers from the Council of the separate portions to adjoining owners one of whom is Mrs Benge. Forthly a Land Transfer Plan compiled from the survey date on SO 21393 should be lodged showing he final subdivision as is intended this plan to be the basis of any new C.T.’s to issue. Subdivision of course requiring the Borough Council’s consent. To sum up – Mrs Benge was apparently occupying a legal public street and although only a paper road it was nevertheless a legal highway and she has apparently paid the rates accordingly. The four matters referred to above require completion. This Department was only concerned with street closing which was effected on 07/10/1946. The other matters are questions of complying with the law and the requirements of the District Land Registrar in connection with issue of new titles and are

therefore the concern of the Borough Council the owners and their solicitors who I understand are preparing the necessary documents for registration.

- 04 July 1947 from Minister of Lands to Mrs Benge Further to my interim reply to your letter dated the 19<sup>th</sup> ultimo I have now fully investigated the question raised therein. The land he by you is part of **Section 121** Hutt District for which the original Crown Grant was issued in 1875 to a public road 100 links wide. This road is shown on several old plans and was known as "Old Military Road". In December 1875 W Ebden purchased part of Section 121 and subdivided the area as show in a tracing attached to Conveyance 23830 providing access by a private road 33 feet wife but the old Military Road is also plainly shown diagonally crossing most of the sections. W Ebden in 1876 sold five of these sections numbers 13, 15, 17, 19, and 21 to J Munro subject to the public road shown on the conveyance the old Military Road. In 1924 you acquired by conveyance the first four of the above sections but no reference was made in such document to the Old Military Road which was erroneously included in your title. This was not the fault of any Government Department but a mistake on the part of the Solicitor who drew up the document. As the land was not under the Land Transfer Act dealings were not subject to rigid check in the Lands and Deeds Department. When in 1929 Certificate of Title 352/27 (Limited) was issued in your name in place of your Deeds Title the Old Military Road which though unformed had never been legally closed was correctly shown crossing your sections. This road has now been closed both through your land and adjoining sections but its disposal to the various owners is a matter for the Upper Hutt Borough Council as it lies within that Borough. I understand that Solicitors acting on your behalf have made enquiries at the Lands Office in Wellington and have neem advised of the steps necessary to finally clear the matter up. I regret that I am unable to give you any further assistance on this question which has undoubtedly caused you much inconvenience.

*(Reference Archives NZ Wellington ACGT 18190 LS1 1798 25/349 Township Upper Hutt years not dated)*

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## 1950-1960

### 1957 Upper Hutt Township Section 121

- 17 September 1957 Chief Surveyor to Seaton Sladden and Pavitt Town of Upper Hutt Extension No 8 plans 1911 approval lapsed on 01/02/1957 was Hutt County Council now Upper Hutt Borough
- 17 September 1957 Chief Surveyor Town of Upper Hutt Extension No 7 plan 1910 approval lapsed on 01/02/1957 of Hutt County Council

*(Reference Archives NZ Wellington ACGT 18190 LS1 1798 25/349 Township Upper Hutt years not dated)*

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