

## SECTION 89 TRENTHAM

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1840s Joseph Phipson (absentee) – Richard Barton – 1887 William Barton – 1887 John Barton

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Perhaps Trentham memorial park –

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Fergusson Drive – perhaps Barton Road & Barton Avenue -

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### 1840-1850

Section No 89 Hutt Valley (Upper)

- This Section was selected by J H WALLACE for Joseph PHIPSON the original owner of Preliminary Land Order No 388
- A Supplementary Land order for 75 acres issued for this Land Order to Joseph PHIPSON  
*(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)*

### 1850-1860

Section 89 - Wellington Land Claims

Claim Richard BARTON the Hutt (346, 729 & 928) Crown Grant part Country section No 28 Hutt district & No 86, 87, 88, 89, 92 & 117 Upper Hutt date 25 September 1856 No 1014 Claim 346, 729 & 925

*(Reference Archives New Zealand Wellington reference LS-W W68 1 1-100 Wellington Land Claims Commissioners Reports 1-100 - October 1851 – April 1852)*

Section No 89 Hutt Valley (Upper)

- Claimed by Richard BARTON Claim No 346 Report No 1014 Grant No 1288 issued to Richard BARTON dated 16<sup>th</sup> February 1858 (signed) Thomas Gore BROWNE delivered to Richard BARTON 26<sup>th</sup> September 1870 the oldest son of the Claimant and one of the Executor's under the Wife Probate Copy of Richard BARTON's Will exhibited and returned to A de BRANDON 07<sup>th</sup> November 1870

*(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)*

1858 Crown Grant Section 89 - Richard Barton [brief transcription]

Grant number 1288 under authority of the New Zealand Company's Land Claimants Ordinance Session XI No 15

To Richard Barton 103 acres dated 16 February 1858

Entered in R No 1 folio 73 - 9<sup>th</sup> July 1858

Entered on Record 19 May 1958 R No 2/14 Folio 69

No 2828 received for deposit in the Deeds Register Office Wellington date 16 March 1897

Image of plan (image saved as \_ \_ \_ )

Richard Barton of Upper Hutt Esquire 103 acres more or less Section number 89 on plan of Upper Hutt District bounded North east by section 90, 4725 links, towards South east by Hutt Road 1900 links, towards South west by public road known as No 2 Line, 5710 links, towards North west by River Hutt subject to a right of Road 100 links wide hereby reserved through the said section unto the said Richard Barton witness Thomas Gore Browne CB at Auckland date 16 February 1858 [No 61 R 2/14]

*(Reference Archives NZ Wellington AAAR W3558 24723 box 234 2828 Crown Grant No 1288 to Richard Barton Section 89 Upper Hutt district year 1897)*

### 1860-1870

12 September 1870 [refers to section 89 & 95 Hutt]

⋮  
⋮  
⋮  
⋮  
⋮

Upper Hutt  
12 September 1870

Dear Sir

I have to acknowledge receipt of yours dated 9<sup>th</sup> I find that it was Mr Fitzgerald who made the deviation from the NZ Company's plan, when the track was first cut through this district and

the peg of No 2 line was placed at the present road instead of on the road as shown in NZ Company maps at the time my father purchased No 89 he was informed that the present road would be the boundary and that the difference in No 95 would be made up as it was only the matter of an acre or so consequently my father let portion of 89 and this piece at the same time to Hall now the man who has been occupying No 95 being an absentee section has taken possession of the piece, which Hall was renting, consequently puts me in a very curious position besides being a great annoyance.

I observe also that a small portion of No 96 accompanying to the present road is on this side and takes away the frontage from the house

I remain  
Yours very truly  
Richard Barton

(Reference Archives NZ Wellington ADXS 19480 LS-W2 20 1870/460 Richard Barton Upper Hutt 12 September 1870 Relative to Section 89 Hutt year 1870)

17 September 1870 [refers to section 89 & 95 Hutt]

Mr Holdsworth  
Dear Sir

Thanks for the perusal of the reply of Mr Barton to your semi-official letter. My long acquaintance and intimate knowledge of him would preclude my doubting the statements contained in his note, but the absence of documentary evidence in proof of his assertions, would not justify me, as Comp. I appreciate (without mitigating circumstances) throwing upon the Govt the responsibility as an adverse Claimant preferring compensation for an alleged injury. In his case however, as presents I admit these circumstances do exist.

When I gave the direction in 1866 to suspend the delivery of the grant to Barton pending an investigation about to take place into the title of the alleged owners of the land in dispute, it was understood that no unreasonable delay was to take place. Nearly four years has now elapsed since the case was bought under my notice, and up to the present time no steps have been taken to refer any Claim under the provisions of the New Z Coy Land Claimants Ordinance.

I have taken some pains in reviewing and examining the merits of this case from the evidence in my possession and have come to the decision that Mr Barton should no longer be deprived from exercising his right to the land included in the Grant issued to his father under the Report of my predecessor in office. The laches [sic perhaps lessees] of the alleged owners of the disputed land will in my opinion be a justification of my arriving at this conclusion. So far therefore as I am concerned, please inform Mr Barton that I shall offer no further opposition to the delivery of the lands to him granted in favour of his father the late Mr Richards Barton for the Section No 89 Upper Hutt.

David Lewis  
Comr New Z Coy  
Land Claims  
17-8-70

(Reference Archives NZ Wellington ADXS 19480 LS-W2 20 1870/460 Richard Barton Upper Hutt 12 September 1870 Relative to Section 89 Hutt year 1870)

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## 1870-1880

Section 89 = Map C Hutt District (Section) No 89 page 96

*No - Receipt of Instrument – Nature of Instruction – Parties – Date of Instrument – Where recorded – Reference – Signature*

- 12196 – 1.40 26 September 1870 – Crown Grant – Richard Barton – 16 February 1858 – 7 G46 – D2839
- 14440 – 12 noon 03 April 1872 – copy Will & Codicils – R Barton deceased – 23 October 1863/06 April 1865 – 1 W618
- 15749 – 10.30 23 January 1873 – Renunciation – W Fox to Barton & anor. – 17 September 1870 – 25 D727

- 30670 – 11 am 03 June 1876 – Mortgage – Barton to Johnston & anor. – 21 March 1878 – 50 D858 – D1303
- 31641 – 2 pm 13 August 1878 – Assignment – J Johnston to W W Johnston – 06 August 1878 – 54 D496 – 1304

(Reference AFIH 22394 W5691 1/43 volume 3 1 to 380 Deeds Index Horokiwi Valley, **Hutt**, Kaiwara, Porirua (Kinapora) Ohariu, Oniro)

Crown Grant Section 90 [brief transcription]

Crown Grant to James Talmage White

Deposited Deed No 2837 - 98 acres 2 roods 0 p

Dated 06 December 1876 – R. No W 22 - folio 157

Signed Secretary for Crown Grants H Masters

Grant number 4582

Under the New Zealand Company Land Claimants Ordinance Session XI No 15

Surveyed by J Mackenzie & J Sircom (3929)

Plan drawn in margin (image of plan saved as \_\_ \_)

James Talmage White of London in England Gentleman parcel of land containing 98 acres 2 roods more or less being **Section 90** on the plan of the Hutt District bounded towards North east by **Section 91**, 3800 links towards the South east by a public road, 2344 links towards South west by **Section 89**, 4725 links towards North west by the River Hutt Subject to a right of road, 100 links wide hereby reserved through the said section.

Dated 04 April 1848 – No 4019 – Reg. W

Received for deposit in the Deeds Register Wellington 16 March 1897

Recorded 14 grants fo 124 Index Volume 3 folio 97 No 2837

(Reference Archives NZ Wellington AAAR W3558 24723 box 234 2837 Crown Grant No 4582 to James Talmage White Section 90 Hutt District Wellington Provincial District year 1897)

1878 – 1880 = Section 86-89, 91, 92, 211 and 212 Hutt Districts Mortgage

Richard Barton - The Hon John Johnston to Walter Woods Johnston - Charles John Johnston & Walter Woods Johnston to William Gascoyen Beard & John Orbell Bidwill

Page 1 - This Deed made the eighteenth day of December One thousand eight hundred and eighty Between Charles John Johnston named and described in the hereto deed of the Twenty first day of May One thousand eight hundred and seventy eight and Walter Woods Johnston named and described in the hereto annexed deed of the sixth day of August One thousand eight hundred and seventy-eight of the one part and William Gascoyen Beard of Greytown in the Wairarapa West County Solicitor and John Orbell Bidweill of Pihautea near Featherston in the same County Sheep Farmer of the other part Whereas the Richard John Barton named and described in the hereto annexed deed of Mortgage of the Twenty first day of May One thousand eight hundred and seventy eight did on or about the Fifteenth day of May One thousand eight hundred and seventy eight duly make and execute his last Will and Testament whereby he gave devised and bequeath unto the said William Gascoyen Beard and John Orbell Bidwill their heirs executors administrators and assigns according to the nature tenure and quality thereof respectively All his estate and effects both real and personal of or to which he might be seized possessed or entitled at the time of his death whether in possession never seen remanded or expectancy upon the Trust therein declared of and concerning the same And whereas the said Richard John Barton died on or about the Twenty Seventh day of June One Thousand eight hundred and Seventy nine without having revoked or altered his Will which was duly proved and deposited in the Supreme Court of New Zealand Wellington District by the said William Gascoyen Beard and John Orbell Bidwill Upon This Deed Witnesseth that sue consideration of all principal and inerter moneys intended to be secured by the within written deed having been fully paid and satisfied as is hereby acknowledged They the said Charles John Johnston and Walter Woods Johnston Do and each of them Both hereby receiving reassure and release unto the said William Goscoyen Beard and John Orbell Bidwill their heirs and assigns With at the one third share of the said Richard John Barton in the lands here deferments and premises described in the Schedule to and (continue on next page)

Pages 2 to 6 not transcribed

Page 7 - Schedule referred to in the above written Deed ALLTHOSE pieces of land containing together Thirteen thousand and Five hundred and ninety nine (13,599) acres situated in and

being Sections numbers One (1) to Thirty Eight (38) both inclusive and also Sixty three (63) to Seventy two (72) both inclusive and One hundred and eight seven (187) and Two hundred and Two (202) in the Awhea Block on the East Coast District comprised in and granted to Richard Barton by Grant numbered 4811 dated the Fourteenth day of January One Thousand eight hundred and seventy seven AND also ALLTHOSE Sections in the Hutt District in the Hutt County and being Sections numbers Eighty Six (86) Eighty Seven (87) Eighty Eight (88) Eighty Nine (89) Ninety One (91) Ninety Two (92) Two Hundred and Eleven (211) and Two Hundred and twelve (212) With all the appurtenances to the said several lands belonging to the signature of the said Richard John Barton [signed by Richard John Barton]

(Archives NZ Wellington AAAR W3558 24723 box 227 1303, 1304, 1305 Mortgage Richard John Barton to John & Charles John Johnston sections 1-38, 63-72, 187 and 202 Awhea Block East Coast District, Section 86-89, 91, 92, 211 and 212 Hutt Districts [includes No 1304 Assignment Transfer of Mortgage] - the Hon John Johnston to Walter Woods Johnston [includes No 135 Release & Re-conveyance] - Charles John Johnston & Walter Woods Johnston to William Gascoyne Beard & John Orbell Bidwill)

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### 1880-1890

#### Section 89 = Map C Hutt District (Section) No 89 page 96

*No - Receipt of Instrument – Nature of Instruction – Parties – Date of Instrument – Where recorded – Reference – Signature*

- 39342 – 3 pm 21 December 1880 – Re-Conveyance – Johnston to Barton's exors. – 18 December 1880 – 65 D862 – D1305
- 39446 – 10.30 07 January 1881 – Copy Will – R J Barton deceased – 15 May 1878 – 3 W79
- 39490 – 1 pm 12 January 1881 - Conveyance – Bidwill & anor to John Barton – 24 December 1880 – 66 D436 – D2831
- 54238 – 12.30 19 September 1887 – Conveyance – William Barton to John Barton – 08 September 1887 – 90 D788 – 34/789
- 54243 – 12 noon 20 September 1887 – Conveyance – John Barton to William Barton – 08 September 1887 – 91 D953 – 34/790 – D2832

(Reference AFIH 22394 W5691 1/43 volume 3 1 to 380 Deeds Index Horokiwi Valley, **Hutt**, Kaiwara, Porirua (Kinapora) Ohariu, Oniro)

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### 1890-1900

#### 16 March 1897 Agreement Deposit of Deed No 2835 & 2836

Agreement 08 September 1887 between William Barton barrister solicitor Wellington and John Barton civil engineer Upper Hutt agreement tenants in common regrading land in Upper Hutt known as Trentham property re life estate of mother Hannah Barton

John Barton releases land known as the White Rock agreement to his brother William Barton for £9,415 security of William Barton re land Trentham property

William and John Barton another known as The Trentham Agreement awarded to Thomas Mason. William & John Barton and Thomas Mason another known as Arbitration Agreement re under their late fathers will

NOTE photographed page and plan with details regarding sections 89, 90, 91, 92, 212 and 211 and saved as IMAGE \_ \_ \_

(Reference Archives NZ Wellington AAAR #3558 24723 box 234 2835, 2836 Charge & agreement to mortgage William Barton Trentham property William Barton to John Barton sections 90-92 and 212 and part sections 89 and 211 Rimutaka survey district includes No 2836 release John Barton to William Barton year 1897)

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### 1910-1920

#### 1911 - Part section 89-90 Hutt Block 1 Rimutaka Survey District

- 11 March 1911 = from Seaton & Sladden to Chief Surveyor Sir On behalf of Mr A C M Sinclair we beg to hand you herewith a plan of proposed new Town in Sections 89 and 90 Block 1 Rimutaka Survey District for approval by the Governor we are Sir yours obediently Seaton Sladden [in red 1 plan Mr Mackay 13.3.71]
- 20 March 1911 = from Chief Surveyor to Surveyor General plan forward plan for approval – Main Road is public – 66 feet wide – proposed street is 66 feet wide
- 08 April 1911 = from Surveyor General to Chief Surveyor – Upper Hutt Extension No 8 forwarding parcel of plan for approval

(Reference Archives NZ Wellington ADXS 19483 LS-W1 563/27680 part section 89-90 Hutt Block 1 Rimutaka Survey District Prop Upper Hutt Extension No 8 year 1911)

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## Miscellaneous Information

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### 1900-1910

NOTE the details below belong to section 17 and 18 in Wellington not section 98 Upper Hutt

#### 1908 Township of Barton- Sandford Street & Merton Street

- 31 March 1908 Chief Surveyor Department of Lands and Survey to Surveyor General – Plan of Township of Barton I have the honor to forward herewith the above plan for the Governor's approval in term of Section 18 of "The Land Act 1892" [25396]
- 03 April 1908 Minister of Lands Authorising the laying off of **Sandford and Merton Streets** in the Township of Barton of a width of not less than 66 feet each – Department of Lands Wellington in Pursuance of the power and authority conferred upon me by Section 2 of "The Town's Main Streets Act 1902" I Robert McNab Minister of Lands do hereby authorise the laying off of **SANFORD** and **MERTON** streets in the Township of Barton Wellington Land District of a width of not less than 66 feet instead of 99 feet as prescribed by Section 17 of "The Land Act 1892"
- 03 April 1908 Surveyor General to Hon Minister of Lands – Proposed Township of BARTON Wellington Land District - The accompanying recommendation to the Governor to approve the plan of BARTON Township Wellington Land District is respectfully submitted for your signature should it meet with your approval. The scheme of subdivision is in accordance with requirements and the proposed name suitable. I have the honour to recommend that you exercise the power conferred upon you by "The Town's Main Streets Act 1902", and authorise the laying off of SANDFORD and MERTON streets in the above Township of a width of not less than 66 feet. Attached also for your signature is the usual Authority for the laying off of the main streets in the Township of a width of 66 feet in the event if your approving of the same
- 03 April 1908 Authorising the laying off of SANDFORD and MERTON Streets in the Township of BARTON of a width of not less than 6 feet each Department of Lands Wellington In pursuance of the power and authority conferred upon me by Section 2 of "The Town's Main Streets Act 1902" I Robert McNab Minister of Lands do hereby authorise the laying off of SANDFORD and MERTON Street in the Township of BARTON Wellington Land District of a width of not less than 66 feet instead of 99 feet as prescribed by Section 17 of "The Land Act 1892".
- 03 April 1908 Surveyor General to Hon Minister of Lands – Proposed Township of BARTON Wellington Land District – The accompanying recommendation to the Governor to approve the plan of BARTON Township Wellington Land District is respectfully submitted for your signature should it meet with your approval. The scheme of subdivision is in accordance with requirements and the proposed name suitable. I have the honour to recommend that you exercise the power conferred upon you by "The Town's Main Streets Act 1902" and authorise the laying off of SANDFORD and MERTON Streets in the above Township of a width of not less than 66 feet. Attached also for you signature is the usual Authority for the laying off of the main streets in the Township of a width of 66 feet in the event of your approving of the same. (Streets to be Gazetted)
- 03 April 1908 Wellington His Excellency the Governor is respectfully advise to sign as approved to accompanying plan of BARTON Township in terms of Section 18 of "The Land Act 1892"- Minister of Lands signature
- 13 April 1908 Thomas Humphries Surveyor General to Chief Surveyor Wellington – Township of Barton Wellington Land District – Referring to your memorandum No 25396 of the 31<sup>st</sup>

Ultimo I beg to return herewith the plan of BARTON Township approved by the Governor in terms of Section 18 of "The Land Act 1892". (enclosure 1 plan)

- On piece of scrap paper BARTON Wellington near Upper Hutt – papers gone to Minister 3.4.08 – Plan gone to Governor 7.4.08 – Plan gone to Ch. Surv. 13.4.1908 – Streets to Gazette

*(Reference Archives NZ Wellington ACGT 18190 LS1 1801 25/394 Townships Barton year no date)*

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