

65113 TE

(C)

[APPROVED BY THE D.L.R. WELLINGTON.]

[New Zealand.]

MEMORANDUM OF TRANSFER.



1 Here state nature of the estate or interest.

WHEREAS EDWARD DANIEL BARBER of *Wellington Butcher*
and HAROLD BARBER of *Waikanae Farmer* and HENRY RICHARDSON
ELDER of Waikanae Sheepfarmer are registered as proprietors of an estate
of inheritance in fee simple as tenants in common in unequal shares

subject however to such incumbrances liens and interests as are notified by memoranda
underwritten or indorsed hereon in all that piece of land situated in the² County

2 District, county, man-
fred, or township.

of Hutt

containing³ Three hundred and eight

3 Here state the area, ex-
clusive of roads intersecting
the same, if any.

Acres and Twenty one Perches (308 Acres. 21.p)

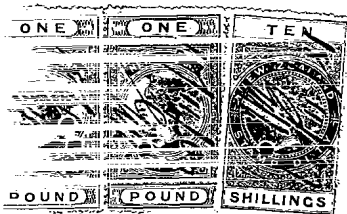
be the same a little more or less⁴ Being the whole of Section number 2 Ngarara

4 Here state rights of way,
privileges, or easements (if any)
intended to be conveyed. If
the land to be dealt with con-
tain all that is included in an
existing grant, or certificate,
refer thereto for description of
parcels and diagram; other-
wise set forth the bound-
aries in chains, links, or feet,
and refer to the plan delinea-
ted on the margin or an-
nexed to the instrument or de-
posited in the Registry office.

West A Block excepting the part thereof taken by the Governor in
Council for a Public Road and being the balance of the land (after
deducting the said road) comprised in Certificate of Title Volume

66 Folio 163 AND WHEREAS the extent of the interest of the said
Edward Daniel Barber and Harold Barber in the said land is 242 Acres
3 Roods and 29 Perches and the extent of the interest of the said
Henry Richardson Elder therein is 65 Acres and 32 Perches AND WHEREAS
the said land is subject to lease registered number 3378 AND WHEREAS
the registered proprietors of the said land have agreed to partition
the said lands according to their respective interests therein NOW
THEREFORE

412.3.29
64.2.32
27.2.11
2
338 0 11
Ydau A
2348



66/163
one cert for 242-3-29 Logd. in
" " 65-0-32 Subject to
Pt. Ngarara West A Sec 2
Block IX Taitape S.D.
d.M.

17-12-7

A/2348

308.0.21
242.5.29
65.0.32

In consideration of the mutual transfers hereinafter expressed to be effected
hereby WE the said Edward Daniel Barber and Harold Barber

5 Or a lesser estate or interest, describing such lesser estate.

containing sixty five acres and thirty two perches being that part of Section Number 2 Ngarara West A delineated and in outline coloured red and according to the Boundaries more particularly shewn on the plan drawn hereon and on a plan deposited ^{transferred for Reference} in the office of the District Land Registrar at Wellington number A 2348, SUBJECT HOWEVER to the said lease registered number 3378 AND SUBJECT as to the piece of land Fifty Links wide shown on the plan drawn hereon and coloured yellow to the following right of way or passage hereby reserved by the said Edward Daniel Barber and Harold Barber that is to say:- It shall be lawful for the said Edward Daniel Barber and Harold Barber their executors administrators and assigns the owners for the time being of the land coloured green in outline on the plan drawn hereon at all times hereafter to use the said piece or parcel of land coloured yellow on the plan drawn hereon as a way or passage for the said persons and owners and all persons having business with them respectively on foot and on horseback and for their stock or vehicles at all reasonable times with full power of egress ingress and regress for the purpose of giving access as hereinbefore mentioned to and from the farm of the said Edward Daniel Barber and Harold Barber being the lands coloured green in the plan drawn hereon and the Main Road leading from Wellington to Otaki PROVIDED ALWAYS (1) That the said Edward Daniel Barber and Harold Barber their heirs executors administrators or assigns shall at their own costs and charges whenever required so to do by the said Henry Richardson Elder his heirs executors administrators or assigns erect and shall at all times thereafter maintain on the boundaries of the said way a good and sufficient sheep and cattle proof fence with gateways at such points as may be directed by the said Henry Richardson Elder his executors

administrators or assigns and will provide such gateways with good
substantial swing gates and at all times thereafter maintain the same and
provide the same with good and sufficient fasteners (2) And further

that the said way shall not be used so as to interfere with the use thereof by the said Henry Richardson Elder his executors administrators or assigns as a paddock or part of a paddock PROVIDED FURTHER that the gate which now is or at any time hereafter may be at the Eastern End of the said way abutting on the Wellington and Manawatu Railway Company's Railway Line shall at all times be secured by every person using the said way as aforesaid and that at the Southern End of the said way a proper gateway and a good and substantial swing gate shall be provided and at all times maintained on the boundary of the land coloured green aforesaid by

CHARLES BRUCE MORISON.

BARRISTER & SOLICITOR

11, Featherston Street, Wellington, N.Z.

December 13th 1907.

The District Land Registrar

WELLINGTON.

Sir,

T. 65113.

Referring to your requisition of yesterday's date I beg to state that the Messrs Barber, to whom 242 ac. 3r. 29 p. are transferred by the above Transfer, were owners of adjoining lands at the date of the Transfer.

I have the honour to be,

Sir,

Yours obediently,

C.B. Morison
r. S. Haylie

Form of Declaration to be made by Second Alienee under
Section 6 of "The Native Land Laws Amendment Act,
1895."



In the matter of "The Land Transfer Act, 1885," and its amendments;
and

In the matter of "The Native Land Laws Amendment Act, 1895," and
its amendments; and

In the matter of the Transfer from

Edward Daniel Barber & Harold Barber
to Henry Richardson Elder

of ⁽¹⁾ part of Section no 2 Ngara
West A Block containing 65 acres and
32 perches

⁽²⁾ Name, address,
and occupation.

I, ⁽²⁾ Henry Richardson Elder of Waikanae
Sheepfarmer, do solemnly
and sincerely declare,—

⁽³⁾ "Transferee,"
"mortgagee," or
"lessee."

1. That I am the ⁽³⁾ Transferee above named.

2. That I was not at the time of execution of the above Transfer

_____, the owner of land in New Zealand (within the
meaning of the word "owner" in clause 27 of "The Maori Lands Administra-
tion Act, 1900") of a greater area than would, including the land in the above
Transfer, amount to 640 acres of first-class
land or their equivalent in second- or third-class land, as defined by "The Land
Act, 1892" (2,000 acres of second-class or 5,000 acres of third-class land being
treated as equivalent to 640 acres of first-class land).

And I make this solemn declaration conscientiously believing the same to
be true, and by virtue of an Act of the General Assembly of New Zealand
intituled "The Justices of the Peace Act, 1882."

Declared at Waikanae

this seventeenth day of
October, 1907,

before me—

right here

Henry Richardson Elder

R. J. Pow J.P.
Farmer

Justice of the Peace,
~~at Waikanae~~,
or Solicitor of the Supreme Court.

Waikanae

Form of Declaration to be made by Second Alienee under
Section 6 of "The Native Land Laws Amendment Act,
1895."

In the matter of "The Land Transfer Act, 1885," and its amendments;
and

In the matter of "The Native Land Laws Amendment Act, 1895," and
its amendments; and

In the matter of the transfer from

Henry Richardson Edder
to Edward Daniel Barber & Harold Barber
of ⁽¹⁾ part sect 2 Ngarara West
A Block

(1) Describe land.

(2) Name, address,
and occupation.

I, ⁽²⁾ Edward Daniel Barber of
Wellington Butcher, do solemnly
and sincerely declare,—

(3) "Transferee,"
"mortgagee," or
"lessee."

1. That I am the ⁽³⁾ transferee above named.

2. That I was not at the time of execution of the above transfer

_____, the owner of land in New Zealand (within the
meaning of the word "owner" in clause 27 of "The Maori Lands Administra-
tion Act, 1900") of a greater area than would, including the land in the above
transfer, amount to 640 acres of first-class
land or their equivalent in second- or third-class land, as defined by "The Land
Act, 1892" (2,000 acres of second-class or 5,000 acres of third-class land being
treated as equivalent to 640 acres of first-class land).

And I make this solemn declaration conscientiously believing the same to
be true, and by virtue of an Act of the General Assembly of New Zealand
intituled "The Justices of the Peace Act, 1882."

Declared at Wellington,
this Fifteenth day of
November, 1907,
before me—

E. D. Barber

S. H. Palmer

Justice of the Peace,
or Notary Public,
or Solicitor of the Supreme Court.



Form of Declaration to be made by Second Alienee under
Section 6 of "The Native Land Laws Amendment Act,
1895."

In the matter of "The Land Transfer Act, 1885," and its amendments;
and

In the matter of "The Native Land Laws Amendment Act, 1895," and
its amendments; and

In the matter of the Transfer from

Henry Richardson Elgar
to Edward Daniel Barber & Harold Barber

(1) Describe land.

of (1) part sub 2 Ngawara West
A Block

(2) Name, address,
and occupation.

I, Harold Barber of Warkanae
Farmer, do solemnly
and sincerely declare,—

(3) "Transferee,"
"mortgagee," or
"lessee."

1. That I am the (3) transferee above named.
2. That I was not at the time of execution of the above transfer

transfer the owner of land in New Zealand (within the
meaning of the word "owner" in clause 27 of "The Maori Lands Administra-
tion Act, 1900") of a greater area than would, including the land in the above
transfer, amount to 640 acres of first-class
land or their equivalent in second or third-class land, as defined by "The Land
Act, 1892" (2,000 acres of second-class or 5,000 acres of third-class land being
treated as equivalent to 640 acres of first-class land).

And I make this solemn declaration conscientiously believing the same to
be true, and by virtue of an Act of the General Assembly of New Zealand
intituled "The Justices of the Peace Act, 1882."

Declared at Wellington,
this thirteenth day of
October, 1907,
before me—

Harold Barber

Albert Andrew
Justice of the Peace,
or Notary Public,
Solicitor of the Supreme Court.



the said Edward Daniel Barber and Harold Barber their executors administrators and assigns and the same shall at all times excepting when in actual use be securely fastened and so kept by the persons using or having the right to use the said way so that the stock of the said Edward Daniel Barber and Harold Barber their executors administrators or assigns shall not stray on the said way AND FURTHER that it shall be lawful for the said Henry Richardson Elder in case the said way shall be fenced to require that two open roadways each at least fifty links wide shall be left across the said way at such points as he may require for access of stock to water and the access to such roadways either left open or provided with gates as he may require and he may require such roadways to be fenced on either side or both sides and such transverse fences provided with gateways and sufficient and substantial swing gates with good and sufficient fasteners AND I THE SAID HENRY RICHARDSON ELDER for the considerations aforesaid DO HEREBY TRANSFER to the said Edward Daniel Barber and Harold Barber all my estate and interest in all that piece or parcel of land containing Two hundred and forty two Acres Three Rods and Twenty-nine Perches being part of Section 2 on the plan of the Ngarara West A Block aforesaid and being the land shewn on the plan drawn hereon and in outline coloured green according to the boundaries thereof shown on the said plan and on a plan deposited ^{for Reference} in the office of the District Land Registrar at Wellington number A 2348 AND THEY the said Edward Daniel Barber and Harold Barber DO HEREBY COVENANT with the said Henry Richardson Elder that they the said Edward Daniel Barber and Harold Barber their executors administrators or assigns will duly and punctually pay to the said Henry Richardson Elder his executors administrators and assigns during the currency of the lease registered number 3378 the proportion of the rental thereby reserved payable in respect of the land hereinbefore transferred to the said Henry Richardson Elder that is to say the annual rental of Twenty eight pounds two shillings (£28:2:0) which the parties hereto have agreed to as the proper proportion as aforesaid and further that the said Edward Daniel Barber and Harold Barber will at all times duly perform observe fulfil and keep in respect of the said land transferred to the said Henry Richardson Elder the covenants conditions provisions and stipulations contained expressed or implied in the said lease and on the part of the lessee to be performed or observed

IN WITNESS whereof the parties hereto have hereunto subscribed their names this

Sixteenth day of October One thousand nine hundred and seven

SIGNED by the said Edward Daniel Barber in the presence of:-

Edward Daniel Barber
John [illegible]

SIGNED by the said Harold Barber in the presence of:-

Harold Barber
John [illegible]

SIGNED by the said Henry Richardson Elder in the presence of:-

Henry Richardson Elder
John [illegible]

No.

Transfer of

Correct for the purposes of the Land Transfer Act.

105113

168190
168191

E.D. & H. Barber

to

H.R. Elder

AND

H.R. Elder

to

E.D. & H. Barber

Vendor

Purchaser

Amended
Solicitors for the within named
H.R. Elder
Amended
Solicitor for the within named
E.D. & H. Barber

Particulars entered in the Register Book, Vol. 66

Folio

163.

the

18th

day of

November, 1907, at 10.15

o'clock



pm Lutham

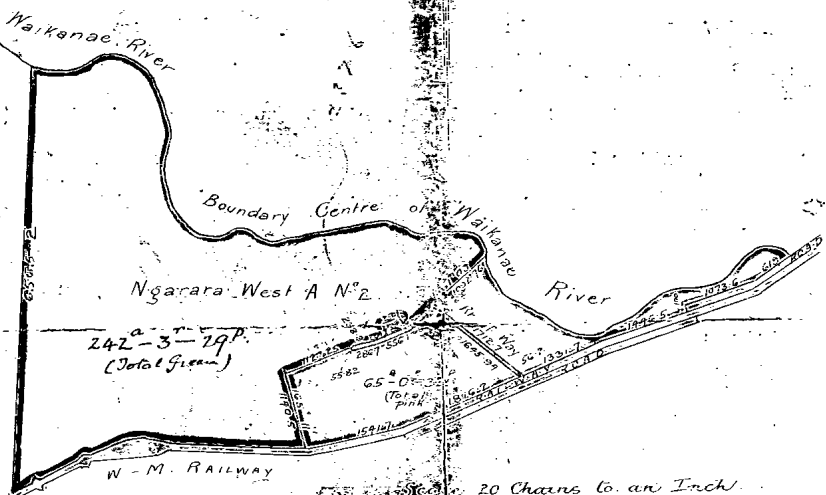
Land Registrar of the District of Wellington



*Done 2
one for p. 100*

to draftsman: 21.11.07

by draftsman:



1916
1831
3204.1

168190
168191
33

See A/2348

20 Chains to an Inch

Seaton & Sladden

Licd Surveyors

per A.H. Bagle Sept 1907

Morison & Loughnan,
Solicitors,
Wellington.