



S. PERCY SMITH  
Surveyor General.

LETTERS TO BE ADDRESSED  
The Surveyor General  
Wellington.

*456*  
*Forwarded for information*  
*of Vincent County Council*  
*J. Pyke*

In your reply  
**1517291.**

Quote this number in the margin.

Department of Lands and Survey,  
Wellington. January 30th, 1894.

Sir

I am directed by the Minister of Lands to say that he has received from the Minister of Public Works your letter of the 1st inst enclosing letters from the Councils of Vincent and Tuapeka Counties asking that the Govt should provide funds to assist them in maintaining the main roads in their respective Counties.

In reply I have to state that at the present time there is no money voted for this purpose and the Govt has therefore no power to assist the Counties in the manner asked.

I have the honor to be

Sir

Your obedient serant

*Harsh*  
*MS.*

Vincent Pyke. Esq. M.H.R.  
Lawrence.

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Cromwell, 10 August 1892  
Memo for The County Engineer  
Clyde

Re Fleming's application for Water Race.

The Warden requires the written consent of the local body where Races cross roads so will you kindly send me the consent necessary putting the condition that the Race where crossing the road be flumed over & maintained at the expense of applicants.

The Warden ~~also~~ thinks it necessary for the Chairman to sign the consent.

Re Robert Ritchie's application for Claim.

Will you also kindly send me a consent to this grant conditionally that before in any way interfering with the road ways on the ground applied for the applicant constructs roads to be in substitution thereof. & Yours  
Obediently -

Spence H. Turton

The Chairman.

Will you kindly give the required  
consent. Petitioner's appn is adjourned  
to 7th Oct. Thomas Spitzer's appn  
is granted subject to consent being  
obtained in writing - see Council  
minutes Aug 9. In the latter case  
condition to be made that a cul-  
vert (stone) is placed at  
the road crossing.

J. H. Macgregor  
County Eng.

Circular

Land Registry Office  
Dunedin 29<sup>th</sup> May 1891

Sir

With reference to the provisions of the Public Works Acts authorizing the stopping of roads and to Certificates stating that such roads have been closed and sold or exchanged. I beg to inform you that disapproval has been expressed to this Office that in certain cases the road so closed has been sold to or exchanged with a person claiming an interest in the adjoining land only as a Mortgagor; and that Mortgagors and Lessees consider themselves aggrieved by roads intersecting or bounding land mortgaged or leased to them being closed without their consent or knowledge.

It is represented that the Mortgagors and Lessees title to the mortgaged land has as incidental to it an implied right of access over the intersecting or contiguous roads, and that with respect to Instruments registered under the Land Transfer Acts this Office concurs in the existence of such right by act of registration. This right the Mortgagors and Lessees think should be maintained, unless the Mortgagor is prepared to execute a mortgage of the road in favor of the Mortgagee or a lease to the Lessee; otherwise the Mortgagor would be in a position to transfer lease or mortgage the closed road to which he is obtaining a title to a third party, and thereby depreciate the value of the Mortgage or Lease of adjoining land and put the Mortgagee or Lessee in some cases to considerable expense in respect of

fencing etc.

May I suggest for the consideration of the Council the advisability (before confirming the decision of the ratepayers) of obtaining the consent of Mortgagees, Lessors etc. of adjoining lands under the Land Transfer Acts or their Solicitors to the intended closing of roads. With a view to this end, I beg also to suggest that search be made in the Lands Registry to discover the persons interested in adjoining lands as Encumbrances. I shall be pleased if requested so to do by the Clerk of the Council to furnish particulars of ownership as appears by the Registry.

In respect to the closing of roads intersecting or adjoining land not under the Land Transfer Acts this office is not concerned to see to the validity of the title of Mortgagees or Lessors or that such title does not become prejudicially affected by subsequent acts of registration.

I shall also feel obliged if you will duly advise me from time to time of steps being taken to stop roads in order that I may call upon Encumbrances of adjoining lands to hand in to this Office Instruments of title to lands under the Land Transfer Acts, so that I may endorse thereon appropriate entries of roads stopped.

I am

Sir

Your obedient Servant

H. J. J. J.  
District Land Registrar

To the Chairman  
of the  
Vincennes County Council

— The Vincent County Council —

Whereby give notice of their intention under  
the Ordinance Entailed in "The Public Works  
Act 1882" to close the road through the Lacson  
Valley from the Junction of Sand Road with the  
Carriway to Warba Manu Road in Section 19—  
Block VII: Lower Warba & Dist. - District of Warba

Plans and full description of the Road to be Closed can  
be seen for eight weeks from this date at the  
School House Warba Dist.

Chairman Vincent Co. Council

County Officer  
Cyde

Secy

Secy 93. 94. 99.

"The Public Works Act 1882"

Vincennes County -

I hereby give notice that is intended by the V. E. C. E.  
in accordance with the provisions of Sec 94 P. W Act  
1882 to close the Road, (running through the Lagoon Valley),  
from the junction of said Road with the <sup>road line between</sup> Cromwell & Hames  
Main Road in <sup>Section 2 & 3 Block VII</sup> Section 19 Blk 4 Lower Hames Dist.  
to the point where said Road terminates <sup>at Sect 4 Blk V</sup> at Sect 4 Blk V  
Lower Hames Dist. (P. R).  
<sup>the</sup>

I also hereby give notice that the plan of <sup>the</sup> said Road  
intended to be closed is now lying for inspection at the  
School House Hames.

See Sec<sup>ns</sup> 93, § 94 - 99 -  
" M.C. Public Works Act 1882 -

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ABSTRACT of REPORT of the *Public Petitions into*  
Committee of the House of Representatives on the Petition of

*The Chairman of Vincent County Council*

*Referred to the Government for consideration.*

*J. Chandler*

Clerk of the House of Representatives.

August 16<sup>th</sup>, 1888.





Mar

*u-56  
d/d/c*

Wallace County Council Chambers,

Riverton, 6 February 1888

*Mr.*

I have the honor to direction of  
the Wallace County Council & forward  
copy of Resolution passed by the Council  
and request your cooperation in the  
matter, - viz. -

That this Council respectfully ask  
the Government to introduce a clause  
into the Counties Act giving power to  
the County Councils to authorize the  
erection of gates on County road lines  
That the various County Councils be  
asked to support the recommendation

I have the honor to be  
*Sir*

Your obed<sup>t</sup> Serv<sup>t</sup>

*W. L. Sullivan*  
Clerk Wallace Co. Co.

The Chairman  
Vincent County Council

*Blyde*

[CIRCULAR].

Waitaki County Council,

OAMARU, 24TH AUGUST, 1887.

The Chairman

of Vincent County Council

SIR,—

I have the honor to request the co-operation of your Council in bringing before the notice of the Government the need of legislation (in so far as public bodies are concerned) with reference to the adoption of some simple method whereby titles to road-lines exchanged or otherwise acquired for public use can be obtained. At present the method of acquiring titles to roads is tedious, cumbersome, and expensive, and although this Council has on former occasions brought the matter before the Government, nothing has so far been done. This Council would now respectfully suggest that a certified plan being deposited in the Land Transfer Office, signed by the owner and Chairman of the local body (under seal), should be a sufficient dedication within the meaning of section 78 of the

being an exchange, that the provisions of sections 94  
ld simply be obtaining a title under the Public Works  
ietor is willing to sell or exchange.

Left to Chairman  
to reply to affirmatively

eration,

honor to be, Sir,

Your obedient servant,

D. Sutherland,

CHAIRMAN WAITAKI COUNTY COUNCIL.



WAIRARAPA SOUTH COUNTY COUNCIL.

CARTERTON, APRIL 3RD, 1887.

SIR,—I have the honor to hand you, at foot hereof, copy of a resolution passed by this Council in reference to the legalising of Roads in public use. In doing so, I would explain that in this district a large number of roads are in existence, the legality of which has been questioned. These roads in general, have been surveyed by the order of the Road Boards or County Councils over sections of land sold by the Crown, with the usual surplusage of 5 per cent. The roads have been opened with the consent of the owners of the land, or at any rate, without any expression of dissent on their part; and, in many cases, considerable sums of public money have been expended on them. Shortly before the Abolition of the Provinces, the Road Boards in this district caused plans to be prepared of these roads, at a very considerable expense, and had them forwarded to the Provincial Government, for the purpose of complying with all the forms of legalising them; but the matter appears to have ended there. The expense of preparing fresh plans and publishing the necessary proclamations, etc., will be so great, that Local Bodies are practically unable to cope with the difficulty, and this Council is of opinion that, as the same difficulties appear to exist in other parts of the colony, some other system, involving the least possible outlay, should be adopted by Act of Parliament, to settle the matter; and it is suggested that the simplest plan would be to prepare a list of all roads in each district, giving points of commencement and termination, general direction and width, and legalise them under this description by schedule of an Act, or by Order in Council.

I have the honor to be,

Sir,

Your obedient servant,

WM. BOOTH,

County Chairman.

RESOLVED—

[COPY.]

“That the Government be requested to simplify by Statute, the present system of legalising Roads, and that a copy of this resolution be forwarded to all County Councils in the Colony, with a request to support the proposition.”

To the Chairman,

*Vincet* County Council,

*Blyde, Otago*