

Mortgage No.2391 Hugh Sinclair to George Allen 03 Jan 1861

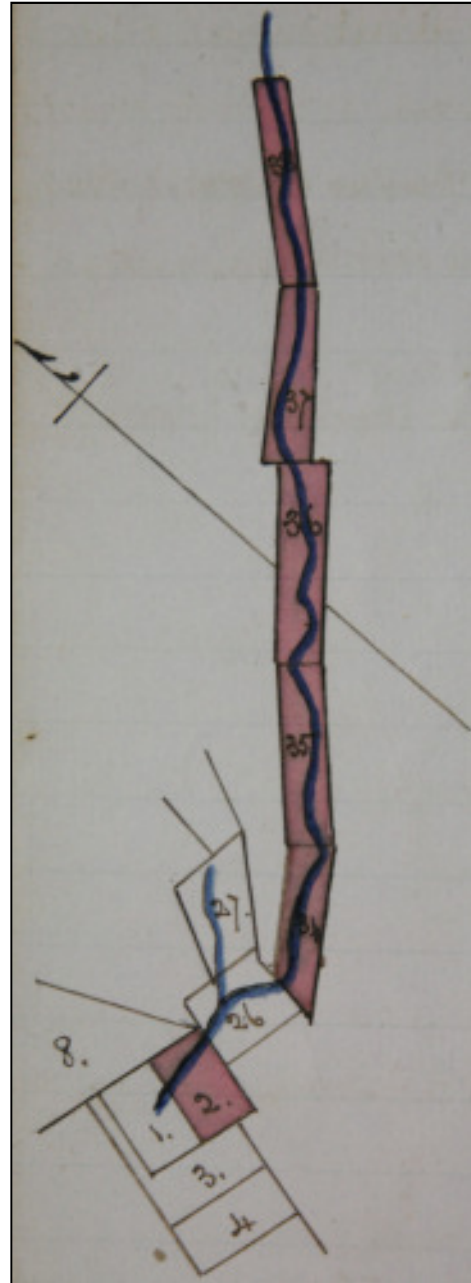
Wellington District Deeds Register Volume 4 folio 476

Archives New Zealand Reference AFIH 22395 W5691/103

This Deed made the third day of January one thousand eight hundred and sixty one between Hugh Sinclair of the Wai-nui-omata District, in the Province of Wellington, Farmer of the one part and George Allen, of the Town of Wellington in the same Province, Boat-builder of the other part witnesseth that in consideration of the sum of one hundred and fifty pounds this day lent by the said George Allen to the said Hugh Sinclair (the receipt whereof is hereby acknowledged) and in order to secure the due payment thereof and also due payment of all such further sums of money as the said Hugh Sinclair may during the continuance of this security become indebted to the said George Allen on account of any further advances or on any account whatsoever together with interest thereon at the times and in manner hereinafter mentioned.

He the said Hugh Sinclair doth hereby convey and assure by way of mortgage unto the said George Allen his heirs and assigns all those several pieces or parcels of land containing in the whole five hundred acres or thereabouts situate in and being section numbers thirty-four, thirty-five, thirty-six, thirty-seven and thirty-eight on the plan of the Wainui-omata District in the Province of Wellington aforesaid and also all the estate, right, title, interest and possession, claim and demand whatsoever of him the said Hugh Sinclair of in and to all that other piece of land containing one hundred acres or thereabouts situate in and being section number two on the plan of the Wainui-omata District aforesaid together with all messuages tenements buildings and erections standing and being on the several pieces of land with all the appurtenances thereunto belonging.

As the same pieces of land intended to be mortgaged are more particularly delineated and described in the plan drawn in the margin hereof and thereon coloured red and it is hereby agreed between the parties hereto that the said Hugh Sinclair his heirs, executors or administrators shall pay to the said George Allen his executors administrators or assigns the said sum of one hundred and fifty pounds and also all such further sums as he the said Hugh Sinclair his heirs executors or administrators may in the meantime become indebted to the said George Allen his executors, administrators or assigns on account of any further advances or any other account whatsoever on the third day of January one thousand eight hundred and sixty three and in the meantime that he or they shall also pay to the said George Allen his executors administrators or assigns interest



after the rate of twelve pounds ten shillings per centum per annum on the said sum of one hundred and fifty pounds and also on such other sums as he the said Hugh Sinclair his heirs executors or administrators may become indebted to him or them for further advances or otherwise from the time or times respectively at which such advances may be made or further debts incurred.

Such interest to be paid by equal quarterly payments on the third day of April, the third day of July, the third day of October, and the third day of January in each year free and clear of and from all deductions and abatements thereout on any account whatsoever and it is hereby expressly agreed that if default shall be made in the payment of the principal sum of one hundred and fifty pounds or of any other sum or sums in which the said Hugh Sinclair his heirs executors or administrators may in the meantime become indebted to the said George Allen his executors administrators or assigns or of the interest thereon or any part thereof respectively for the space of three calendar months after any of the days hereinbefore appointed for payment thereof respectively then it shall be lawful for the said George Allen his executors administrators or assigns to make sale and absolutely dispose of the said pieces of land messuages or tenements hereditaments and premises hereby intended to be mortgaged or any of them or any part thereof and apply the monies to be received therefrom in the manner and under and according to the provisions respectively expressed and declared shall be implied in conveyances by way of mortgage in and by the Conveyancing Ordinances of the second Session of the late legislative council of New Zealand number ten intituled an Ordinance to facilitate the transfer of real property and to simplify the law relating thereto except that it shall not be obligatory on the said George Allen his executors administrators or assigns to make demand of payment or to forbear for any longer period than three calendar months after default in payment of the said sum of one hundred and fifty pounds or other sums as aforesaid or interest previously to exercising his or their power of sale and in case of sale being made for non payment of interest the principal monies intended to be hereby secured may be retained notwithstanding the third day of January one thousand eight hundred and sixty three may not have arrived. In witness whereof the said parties hereto signed by the said Hugh Sinclair in the presence of us Thomas F. Poole, Wellington, clerk and William Widdop, Wellington, clerk.

No.2391 received for registration at 12 o'clock, noon, on Saturday the 19th day of January 1861. John E. Smith, Registrar of Deeds.

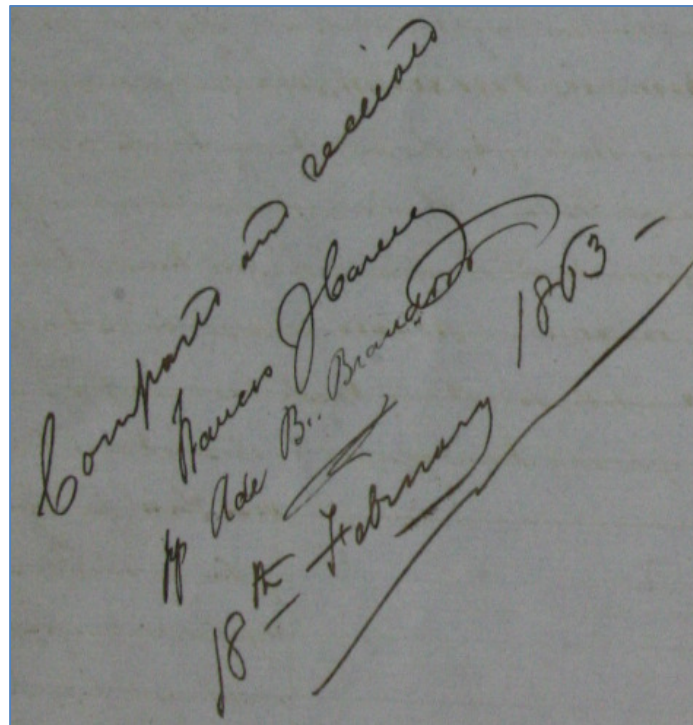
Recorded 4 Vol. Deeds fo. 476. Index 3 Vol. Map K fos 437, 438, 439, 440, 441 and 405

This Deed is written on the back of Deed of Mortgage (Sinclair to Allen) No.2391 recorded in 4 Vol Deeds fo:476

This Deed made the second day of January one thousand eight hundred and sixty three between the within named George Allen of the one part and the within named Hugh Sinclair of the other part witnesseth that in consideration of all Principal Money interest and costs due and owing under the within mortgage security have been fully paid and satisfied (as is hereby acknowledged) he the said George Allen doth hereby reconvey and reassure and release unto the said Hugh Sinclair his heirs and assigns all those several pieces or parcels of land being Sections numbers two, thirty four, thirty five, thirty six, thirty seven and thirty eight on the Plan of the Wai-nui-o-mata District more particularly described in the said within written Deed of Mortgage and delineated on the Plan drawn in the margin thereof with the messuages thereun and all the appurtenances thereto belonging forever released and discharged of and from the said within written Deed of Mortgage and the Principal sum and interest thereby secured in witness whereof the said parties hereto have hereunto subscribed their names. Signed by the said George Allen in the presence of Charles H. Moffitt, Solicitor, Wellington.

No.3481

Received the above Deed for Registration at a ¼ to twelve o'clock a.m. on Saturday the third day of January 1863. John E. Smith, Registrar of Deeds. Recorded 8 Vol Deeds fo 185. Index 3 Vol Map K fos 437,438,439,440,441 and 405



Completed and received
by Ade B. Brand
18th February 1863