

**(Copy of Deed of Trust dated 17th October 1884)**

*"THIS DEED made the seventeenth day of October One thousand eight hundred and eighty four Between Her Most Gracious Majesty Victoria of the United Kingdom of Great Britain and Ireland Queen of the first part His Excellency Sir William Francis Drummond Jervois Governor of the Colony of New Zealand of the second part and The Major Councillors and Citizens of the City of Wellington a Corporation constituted under the provisions of "The Municipal Corporations Act 1876" of the third part*

1. WHEREAS Her said Majesty on the third day of June One thousand eight hundred and sixty one granted the hereditaments hereinafter expressed to be hereby conveyed unto the Superintendent of the Province of Wellington In trust for purposes of public utility to the Town of Wellington and its inhabitants.

2. AND WHEREAS by "The Wellington City Reserves Act 1871" Section 4 the said Superintendent was directed to convey the said hereditaments to the said Corporation upon such trusts and for such purposes of public utility to the City of Wellington and its Inhabitants as should be and by the deeds of Conveyance thereof be expressed and declared.

3. AND WHEREAS by a deed dated the seventeenth day of March One thousand eight hundred and seventy three the said Superintendent conveyed the said hereditaments unto the said Corporation upon trust by any deed or deeds to convey the same to a body of not less than three Trustees to be from time to time appointed by the Corporation upon such trusts and for such purposes of public utility to the City of Wellington and the Inhabitants thereof as should be and by such deeds or deeds of Conveyance be expressed and declared but without any power for the said Trustees to alienate or dispose of the same and so that no thoroughfare should at any time be created across the said lands or any part thereof

4. AND WHEREAS by means of the deeds specified in the Schedule hereto the said hereditaments became expressed to be vested in Samuel Brown of the said City of Wellington, Contractor, Thomas Wilmer McKenzie of the said City Gentleman and Arthur Winton Brown of the same City, Grocer Upon trust to permit the same to be used for the purposes of a Cricket and Recreation Ground by the Inhabitants for the time being of the City of Wellington but in such manner and subject to such Regulations as the said Trustees should from time to time with the approval of the said Corporation direct all such Regulations as the said Trustees should from time to time with the approval of the said Corporation direct all such Regulations to be from time to time published and current within the said City but so nevertheless that the said Trustees should not permit or suffer any thoroughfare to be established across or over any part of the said premises.

5. AND WHEREAS it is apprehended that it was beyond the power of the said Superintendent to authorise the said Corporation to convey the said hereditaments to Trustees or to authorise the said Corporation to define the specific trusts of public utility upon which the said hereditaments were to be held as purported to be done by the said Superintendent by the said recited deed of the Seventeenth day of March One thousand eight hundred and seventy three and accordingly it is apprehended that all trusts purported to be declared by the said Corporation concerning the said hereditaments are invalid and the said Corporation has requested His said Excellency the Governor as having by virtue of "The Abolition of Provinces Act 1875" succeeded to the functions of the said Superintendent to carry into effect such part of the aforesaid Section 4 of the said "The Wellington City Reserves Act 1871" as treats of declaring the specific Trusts aforesaid which His said Excellency has agreed to do And Her said Majesty upon whom all property previously held by

*Superintendents devolved by virtue of the said "The Abolition of Provinces Act 1875" has also agreed for the purpose of carrying into effect such part of the said Section 4 as treats of the Conveyance of the said hereditaments to the said Corporation to make such Conveyance of the said hereditaments as hereinafter appears.*

6. *AND WHEREAS to settle any questions that might arise as to the person or persons in whom the legal estate in the said hereditaments was vested and in view of these presents the said Samuel Brown, Thomas Wilmer McKenzie and Arthur Winton Brown have by deed of even date herewith conveyed the said hereditaments to Her said Majesty NOW THIS DEED WITNESSETH that in consideration of the premises Her said Majesty Queen Victoria doth hereby convey and assure and His said Excellency Sir William Francis Drummond Jervois the Governor doth hereby convey assure and confirm unto the said The Mayor Councillors and Citizens of the City of Wellington All that piece or parcel of land situated in the City of Wellington in the Colony of New Zealand and containing by admeasurement nine acres and three roods, more or less and commonly called or known by the name of "The Basin Reserve" bounded on all sides by Sussex Square as the said land is delineated in the plan drawn hereon and thereon coloured red Together with all buildings fixtures rights easements advantages and appurtenances whatsoever to the said hereditaments appertaining or therewith held or enjoyed And all the estate and interest of the said conveying parties and each of them in the said premises (To hold the said premises unto the said The Mayor Councillors and Citizens of the City of Wellington upon trust to permit the same to be forever used for the purposes of a Cricket and Recreation Ground by the Inhabitants for the time being of the City of Wellington but in such manner and subject to such Regulations as the Council of the said City shall from time to time direct all such Regulations to be from time to time published in some newspaper published and current within the said City but so nevertheless that the Council shall not permit or suffer any thoroughfare to be established across or over any part of the said premises) And it is hereby declared that no covenant shall be herein implied on the part of Her said Majesty or His said Excellency the Governor In Witness whereof Her said Majesty has caused the Seal of the said Colony to be hereunto affixed and His said Excellency the Governor has hereunto set his hand and Seal and the said Corporation have caused their Common Seal to be hereunto affixed the day and year first abovewritten.*

*The Schedule referred to in the abovewritten deed*

<i>Date</i>	<i>Nature of Document</i>	<i>Parties</i>
<i>19 March 1874</i>	<i>Conveyance upon trust</i>	<i>The Corporation of Wellington to James Coutts Crawford Thomas Buchanan and George Crawford</i>
<i>6 June 1881</i>	<i>Deed Poll of Revocation</i>	<i>The Corporation of Wellington</i>

<i>4 October 1882</i>	<i>Conveyance upon trust</i>	<i>The Corporation of Wellington to Robert Greenfield Houston Francis Logan and Samuel Brown</i>
<i>13 December 1883</i>	<i>Deed of Appointment of New Trustees</i>	<i>The Corporation of Wellington 1st part Robert Greenfield and Houston Francis Logan 2nd part Samuel Brown &amp; 3rd part Thomas Wilmer McKenzie Arthur Winton Brown 4th part Sir F. Drummond Jervois</i>

*Signed by His Excellency the Governor on behalf of Her Majesty the Queen and Sealed with the Public Seal of the Colony in the presence of F.N. Penniefather of Wellington, Private Secretary.*

*Signed Sealed and delivered by His Excellency William Francis Drummond Jervois the Governor of the Colony of New Zealand in the presence of:- F.N. Penniefather of Wellington, Private Secretary. "*