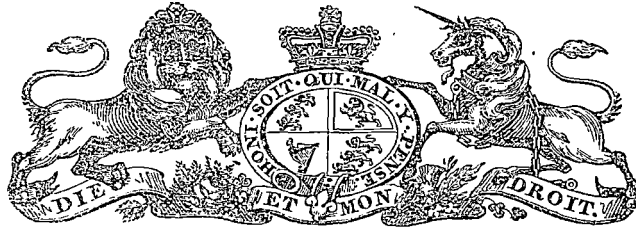


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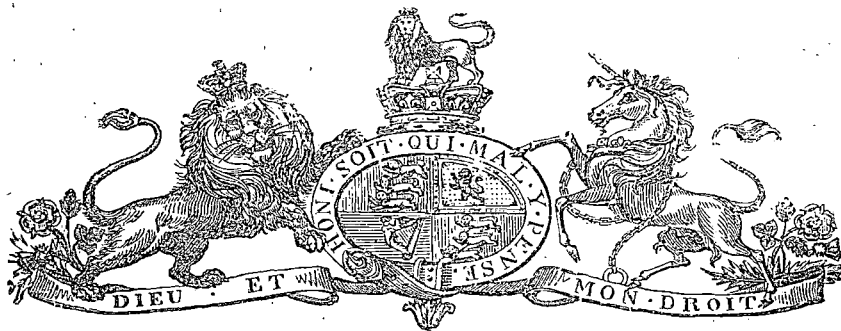
PARLIAMENT OF TASMANIA.

RECORDE R OF TITLES:

REPORT FOR 1898.

Presented to both Houses of Parliament by His Excellency's Command.

Cost of printing—£3.



Lands' Titles Office, Hobart, 19th May, 1899.

SIR,

I HAVE the honour to submit to you the Annual Report on the working of this Department for the year ending 31st December last.

The expenditure for the year was £2626 9s. 10d., including £166 prepaid by applicants for advertising, and so forming no charge on revenue. The receipts under the Real Property (Torrens) Act for same period were £2868 6s. 6d., being £272 16s. 2d. and £432 14s. 2d. in excess of the amounts received for 1897 and 1896 respectively. I have, as Collector of Stamp Duties, received £1360 in cash under the Stamp Duties Acts, being £295 5s. in excess of last year's receipts. The office has been the medium of the revenue receiving under those Acts £2094 12s. (including in part personal collections above referred to), that being the amount of Stamp Duty paid on Instruments, which it is my business to see correctly stamped, and the bulk of which are actually stamped in my presence before they are passed as correct for registration in this Office. The departmental machinery has therefore directly and indirectly been the means of collecting £4962 18s. 6d. or thereabouts of revenue during the year, in addition to fulfilling its primary and fundamental functions as a registration of Title Office. It will thus be seen that this Office is getting its fair share of the returning prosperity of the Colony, and, judging by the business dealt with by the Department during the first four months of the present year, I have good hopes of being able next year to report a very much larger proportionate increase in receipts than I am now doing.

The following table shows the principal dealings of the year, and the subjoined tables show fully all the registered transactions of the past five years:—

Nature of Instrument.	Number.	Area of Land, Town and Country.			Value. £
		A.	R.	P.	
Transfers	725	48,322	1	36	174,538
Mortgages *	694	64,509	2	6	261,326
Grant Deeds prepared at Crown Lands Office and registered here (in duplicate) ..	592	22,966	0	19	35,118
Applications to bring Land under "Torrens' Act," and for Grants of Land held under Location Orders as roots of Title	36	1283	2	10	14,739
Certificates of Title (in duplicate)	844				
Ditto by Endorsement (in duplicate) ..	135				
Total number of Memorials of Instruments entered on Certificates of Title and Grant Deeds in course of registration of dealings during the year	7678				
Proclamations under "Lands Vesting Act" for road purposes	30				
Searches, exclusive of those made for other Government Departments	313				

* Many of these of course represent new loans to take up old ones, and are not additional encumbrances on the real estate of the Colony.

The Assurance Fund on 31st December last amounted to £7385 16s. 10d., as against £7017 12s. 9d. in the previous year, but of course no one can tell when it may be required. This fund is a source of confidence to the public, and should be carefully fostered for many years to come.

The Board of Lands' Titles Commissioners held 39 meetings and dealt with 140 applications of various kinds, among which were applications to bring land under the provisions of the Real

Property (Torrens) Act, that is to change the tenure from the old system of conveyancing to Torrens tenure, of the total value of £14,739. The total area of lands, Town and Country, now under the system is 1,389,266 acres, of the declared value of £3,163,564 at the time of being first brought thereunder. This embraces nearer one-third than one-fourth of the alienated land of the Colony, and, taking into consideration the total assessed value of such land, it is obvious that the present value of the land under "The Real Property Act" must now be considerably in excess of the amount stated above. This is accounted for principally by improvements made after the land was brought under the Act, including of course those made on land purchased from the Crown on the credit system, and by the fact that in many cases mere holding titles have been converted into marketable ones. In addition to the properties which are weekly brought under the Act by the conversion of their titles from the "old system" into Torrens' titles, every acre of land sold by the Crown comes under the Act as soon as the grant is issued, and thus the jurisdiction work and responsibilities of the Department are necessarily ever increasing.

180 diagrams and plans from actual survey have been checked by mathematical computation, and as all the calculations requisitions &c., in this respect are attached to the plans, which are subsequently bound, the record remains to speak for itself of how faithfully the work has been performed. The Department is fortunate in having a chief draftsman of 16 years' experience in the department to supervise this work in conjunction with his duties as Chief Clerk, which require an intimate knowledge of the working of the Torrens system and some knowledge of the law of conveyancing generally. The other draftsmen are being trained to perform these dual duties with a view to continuance in the future of present economy, as no draftsman, however good he might be at his own profession, could perform these combined duties without a previous special training in this or some other Torrens office, which means that the offices of Chief Clerk and Chief Draftsman would have to be separated if at any time such an officer were not available, and the expense under this head would thus be doubled.

The usual amount of dead-work has been performed in the drafting-room, and I can fairly claim that it is up to date, not only in the quality and quantity of work done there, but also in the state of the records, and the constantly improving facilities which they offer for the supply of information to those searching. Prominently on this head stand out the county and town charts, wherein all land under Torrens' Act is coloured red and marked with the volume and folio of the first Certificate of Title or Grant on its being brought under the Act, thus enabling searchers to see at a glance whether the land about which information is sought is under the Act, and, if so, to trace promptly its present ownership and encumbrances. I doubt whether such a record is available in any other colony. I have an intimate personal knowledge of the working of the Torrens office in Melbourne, having on different occasions, the latter quite recently, spent considerable time there, and I am frequently in correspondence with the Commissioner of Titles there and with the Registrars of the other Colonies. I may therefore claim that my opinions are not founded solely on local knowledge. I may also take this occasion to thank those officers for their courtesy and promptitude in affording me from time to time much useful information, often at the expense of much personal trouble to themselves.

I have also, as heretofore, to thank the legal profession for cordial and courteous co-operation in carrying out the business of the Office.

I have the honour to be,
Sir,

Your obedient Servant,

JAMES WHYTE, *Recorder of Titles.*

The Hon. the Attorney-General.

No. 1.—*APPLICATIONS for Certificates of Title and Grants.*

YEAR.	NO.	VALUE.	AREA.					
			Town and Suburbs.			Country.		
			A.	R.	P.	A.	R.	P.
1894.....	50	£ 66,362	93	1	28	25,373	3	17
1895.....	45	45,675	65	2	36	7634	1	0
1896.....	54	33,455	57	0	35	4422	2	11
1897.....	33	21,569	129	2	1	3320	2	19
1898.....	36	14,739	50	3	19	1233	2	31
	218	181,800	396	2	39	42,184	3	38

No. 2.—*GRANTS Registered.*

YEAR.	NO.	VALUE.	AREA.					
			Town and Suburbs.			Country.		
			A.	R.	P.	A.	R.	P.
1894.....	337	£ 24,356	308	1	4	16,501	0	0
1895.....	373	27,007	311	3	19	18,444	2	17
1896.....	377	27,087	377	3	25	15,004	1	2
1897.....	568	34,245	506	3	34	20,836	1	23
1898.....	592	35,118	474	2	23	22,491	1	36
	2247	147,813	1979	2	25	93,277	2	38

No. 3.—*TRANSFERS.*

YEAR.	NO.	VALUE.	AREA.					
			Town and Suburbs.			Country.		
			A.	R.	P.	A.	R.	P.
1894.....	651	£ 107,787	481	0	0	36,984	0	34
1895.....	631	153,602	673	3	10	45,418	1	9
1896.....	633	172,081	530	3	8	32,145	3	10
1897.....	680	181,225	542	3	0	46,755	0	35
1898.....	725	174,538	613	2	33	47,709	3	3
	3320	789,233	2842	0	11	209,013	1	11

No. 4.—*MORTGAGES registered.*

YEAR.	NO.	VALUE.	AREA.					
			Town and Suburbs.			Country.		
			A.	R.	P.	A.	R.	P.
1894.....	539	£ 283,950	777	0	22	114,477	0	28
1895.....	552	242,329	812	2	1	101,568	1	29
1896.....	540	217,241	606	0	15	66,423	0	19
1897.....	617	211,831	743	1	14	57,331	0	2
1898.....	694	261,326	811	3	13	63,698	2	33
	2942	1,216,677	3750	3	25	403,498	1	31

No. 5.—MORTGAGES.

DISCHARGED.					PARTIALLY DISCHARGED.								
YEAR.	NO.	VALUE.	AREA.				YEAR.	NO.	VALUE.	AREA.			
			Town and Suburbs.		Country.					Town and Suburbs.		Country.	
		£	A.	R. P.	A.	R. P.			£	A.	R. P.	A.	R. P.
1894.....	413	137,019	473	2 17	39,781	0 9	1894...	62	9334	13	2 12	14,993	1 6
1895.....	407	184,297	383	0 4	59,456	1 7	1895...	57	14,302	57	0 10	1942	0 15
1896.....	474	167,413	323	0 8	51,211	1 13	1896...	52	6816	9	0 25	1759	1 3
1897.....	461	166,690	291	0 17	37,906	3 3	1897...	38	3707	20	1 6	1340	3 20
1898.....	526	187,251	1157	3 28	72,617	0 7	1898...	72	8743	109	3 29	3773	3 27
	2281	842,670	2628	2 34	260,972	1 39		281	42,902	210	0 2	23,809	1 31

No. 6.—MORTGAGES transferred.

YEAR.	NO.	VALUE.	AREA.			
			Town and Country.		Suburbs.	
		£	A.	R. P.	A.	R. P.
1894.....	72	14,669	123	1 8	44,629	2 7
1895.....	65	15,780	201	2 9	10,247	0 0
1896.....	62	17,680	10	3 26	27,034	3 15
1897.....	71	15,597	159	3 30	12,051	3 13
1898.....	100	15,816	1172	2 18	50,338	3 9
	370	79,542	1668	1 11	144,302	0 4

No. 7.—LEASES.

YEAR.	NO.	VALUE PER ANNUM.	AREA.			
			Town and Suburbs.		Country.	
		£	A.	R. P.	A.	R. P.
1894.....	39	2854	264	1 27	19,082	0 28
1895.....	36	1655	18	1 39	6038	2 0
1896.....	37	2506	12	2 13	19,602	2 15
1897.....	35	1800	128	3 13	5908	1 17
1898.....	44	3603	17	2 1	10,994	0 7
	191	12,418	441	3 13	61,625	2 27

No. 8.—APPLICATIONS on Death of Registered Proprietor.

YEAR.	NO.	VALUE.	AREA.			
			Town and Suburbs.		Country.	
		£	A.	R. P.	A.	R. P.
1894.....	59	27,038	97	1 12	4969	3 33
1895.....	72	43,639	126	0 10	11,614	2 35
1896.....	75	35,675	248	2 2	6018	1 9
1897.....	110	68,811	333	2 23	25,725	0 39
1898.....	95	57,489	408	0 3	8637	0 6
	411	232,652	1233	2 10	56,965	1 2

No. 9.—*OTHER Transactions mentioned in Statistics.*

	1894.	1895.	1896.	1897.	1898.
Mortgages extended	8	10	8	13	10
Leases extended .....	...	...	1	1	2
Leases transferred	7	4	2	6	8
Leases surrendered	5	5	8	8	10
Leases partially surrendered .....	...	2	...	...	6
Re-entry by Lessor .....	...	...	...	...	...
Encumbrances	3	2	3	1	3
Encumbrances transferred .....	...	...	1	...	...
Encumbrances discharged	1	3	1	3	3
Encumbrances partially discharged .....	...	...	...	...	...
Annuities .....	...	...	...	...	...
Annuities discharged	2	...	1	1	1
Annuities partially discharged .....	...	...	...	...	...
Entry of Death of Annuitant or Life Tenant	1	2	4	3	4
Transmission by Death or Bankruptcy	53	62	87	111	126
Entry of Writs of <i>Fi. Fa.</i> Warrants of Execution and Caveats	74	68	64	42	75
Evidence of Satisfaction of Writ .....	...	1	1	2	3
Foreclosure Orders	15	23	8	9	3
Entries of Marriage of Proprietor	8	2	8	9	14
Powers of Attorney	62	50	64	68	69
Estates in Remainder	1	1	6	1	...
Registration of Abstract .....	...	...	...	...	...
Decree of Order of Supreme Court .....	...	5	6	7	4
Applications to dispense with the production of Grants, Certificates of Title, and Mortgages, &c.	2	1	4	3	2
Surrenders to the Crown	4	8	13	7	1
Certificates of Title (in duplicate)	753	685	710	781	844
Certificates of Title by Endorsement (in duplicate)	146	142	138	140	135
Provisional Certificates .....	...	...	1	1	1
Certified Copies	8	3	3	1	1
Proclamations under Lands Vesting Act, 58 Vict. No. 17 Vesting Orders where Vendor absent, &c. from Colony...	...	53	38	26	30
	...	...	1	2	...