

(No. 33.)



1877.

SESSION III.

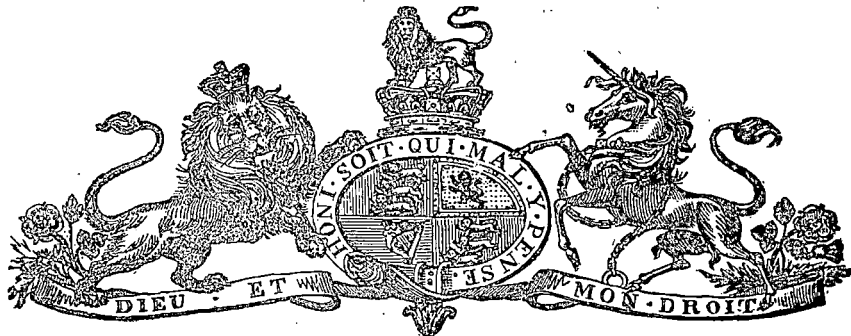
TASMANIA.

HOUSE OF ASSEMBLY.

MR. M'GREGOR.

OCCUPATION OF LAND AT BATTERY POINT.

Laid upon the Table by the Minister of Lands and Works, and ordered by the House to be printed, July 31, 1877.



New Wharf, Hobart Town, 14th February, 1876.

SIR,

I HAVE to request that you will have the goodness to afford me the opportunity of purchasing, at public competition, a narrow strip of land adjoining my property at Battery Point, being a continuation of a roadway through the Ordnance Property, as shown in yellow on the accompanying tracing.

My object in asking your permission for this is, that I am anxious to extend my present dwelling by building a wing on the strip of land referred to.

I am,

Sir,

Yours very truly,

The Hon. the Minister of Lands and Works.

ALEX. M'GREGOR.

Lands and Works Office, 16th May, 1876.

SIR,

I HAVE the honor to acquaint you, in reply to your letter of the 14th February last, that His Excellency the Governor in Council has been pleased to authorise you to occupy, at a peppercorn rental, all that piece of land situate in the City of Hobart Town, in Tasmania, and bounded as follows:—On the western side by property belonging to the said Alexander M'Gregor, and on the other sides by land granted to the Officers of Her Majesty's Ordnance.

Herewith I transmit the occupation authority, with certain conditions imposed therein for your acceptance.

I have the honor to be,

Sir,

Your obedient Servant,

WM. MOORE, *Minister of Lands & Works.*

ALEXR. M'GREGOR, *Esq., Hobart Town.*

MEMORANDUM.

THE Governor in Council having approved that Mr. Alexr. M'Gregor be permitted to occupy and build upon a strip of land in the City of Hobart Town adjoining his private property, will the Solicitor-General be good enough to cause the authority to be engrossed, in duplicate, on parchment?

Copy herewith.

R. P. ADAMS, *Esq.*

GEO. F. LOVETT.
16th May, 1876.

THE necessary authority has been engrossed in duplicate, and is forwarded herewith.

ROB. P. ADAMS.
18. 5. 76.

Re A. M'GREGOR.

WHAT is the term of occupation to be? And is an annual rental to be demanded? If so, kindly add to the Minute.

The Hon. W. MOORE.

G. F. LOVETT.
15. 5. 76.

THIS can be included in the conditions of agreement. Mr. Giblin thinks not necessary in Minute.—W.M.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Lands and Works Office, Hobart Town, 15th May, 1876.

SUBMITTED,

THAT Mr. Alexander M'Gregor, of Hobart Town, be authorised to occupy all that piece of land situate in the city of Hobart Town, in Tasmania, and bounded as follows, that is to say—On the western side by property belonging to the said Alexander M'Gregor, and on other sides by land granted to the Officers of Her Majesty's Ordnance, as the same is shown on the plan hereunto annexed, and surrounded by a red line, for the purpose of building thereon as he shall see fit, on condition that the said Alexander M'Gregor shall agree with the Commissioner of Crown Lands to purchase the said land when put up for sale by auction at a sum not less than the upset price then to be fixed; or to pay such price for the same to the Commissioner of Crown Lands as shall hereafter be agreed upon by arbitrators to be hereafter appointed by the said Alexander M'Gregor, his heirs, executors, administrators, or assigns, and the Commissioner of Crown Lands for the time being respectively, or by an umpire to be appointed by such arbitrators as aforesaid,—all costs of and incidental to any such arbitration to be paid by the said Alexander M'Gregor, his heirs, executors, administrators, or assigns.

WM. MOORE, *Minister of Lands and Works.*

THE Governor in Council approves.

E. C. NOWELL.
15. 5. 76.

The Hon. the Minister of Lands and Works.

MR. ALEXANDER M'GREGOR is hereby authorised to occupy at a peppercorn rent ALL THAT piece of land thirty feet wide situate in the city of Hobart Town in Tasmania, and bounded as follows, that is to say—On the western side by property belonging to the said Alexander M'Gregor, and on other sides by land granted to the Officers of Her Majesty's Ordnance, as the same is shown on a plan hereunto annexed, and surrounded by a red line, for the purpose of building thereon as he shall see fit, on condition that the said Alexander M'Gregor shall agree with the Commissioner of Crown Lands to purchase the said land when put up for sale by auction at a sum not less than the upset price then to be fixed, or to pay such price for the same to the Commissioner of Crown Lands as shall hereafter be agreed upon by arbitrators to be hereafter appointed by the said Alexander M'Gregor, his heirs, executors, administrators, or assigns, and the Commissioner of Crown Lands for the time being respectively, or by an umpire to be appointed by such arbitrators as aforesaid; all costs of and incidental to any such arbitration to be paid by the said Alexander M'Gregor, his heirs, executors, administrators, or assigns.

Dated this nineteenth day of May, one thousand eight hundred and seventy-six.

WM. MOORE, *Commissioner of Crown Lands.*

Witness—GEO. F. LOVETT.

I AGREE to occupy the within-mentioned land on the conditions within expressed.

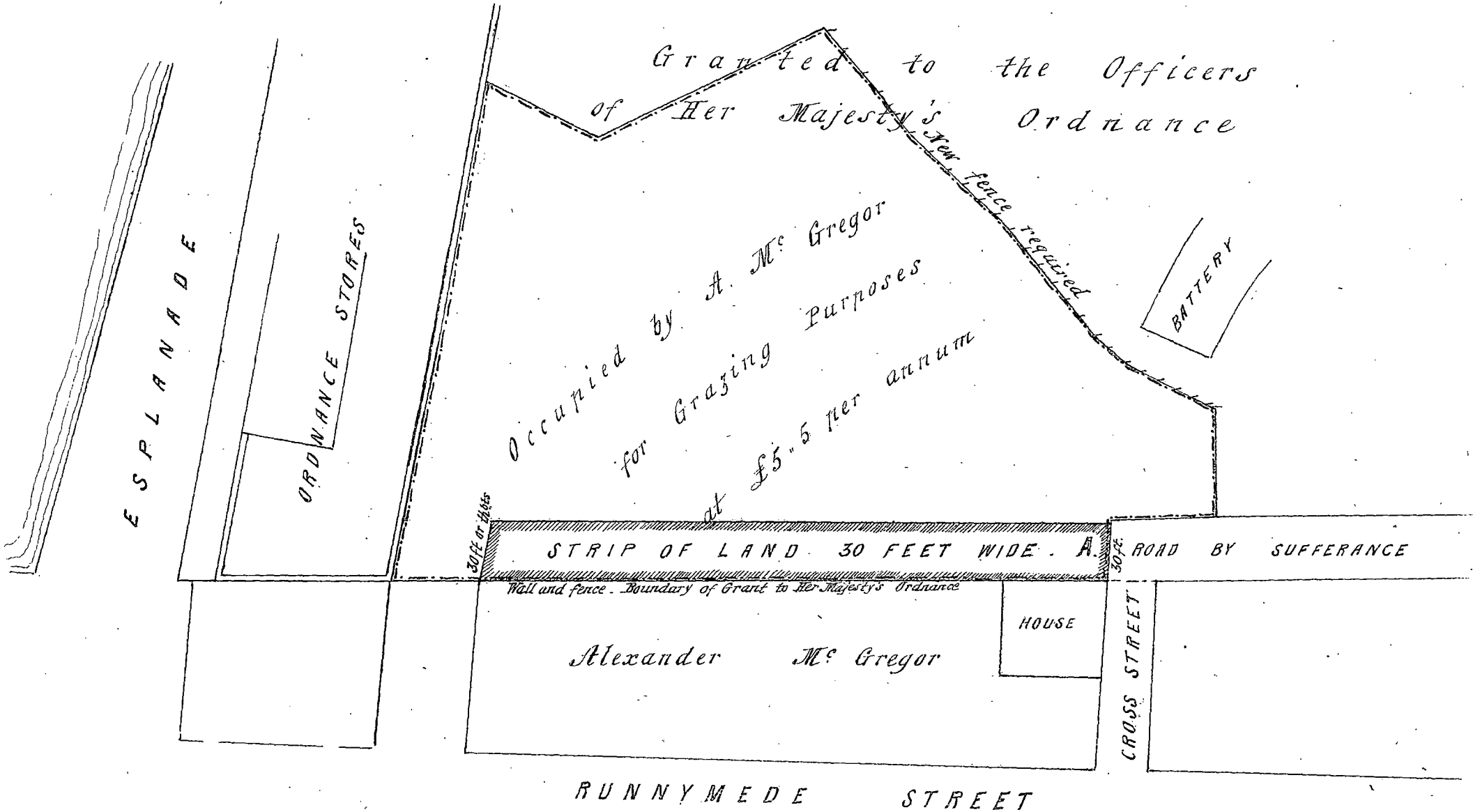
ALEX. M'GREGOR.

Witness—J. BARNARD, J.P.

Master-Gunner's Office, 22nd May, 1876.

SIR,

MR. A. M'Gregor has begun to put up a fence 30 feet from the N.W. boundary, being a strip of land that his man tells me he has got from the Government on Friday, the 19th instant. I should wish to have an authority that this portion of ground is properly handed over to Mr. M'Gregor; for



REFERENCE

Land occupied by A. Mc Gregor shown thus =====

Strip of land referred to in Minutes of the Ordnance Committee

if Mr. M'Gregor builds on the lower part of this strip of land, it virtually destroys the protection of Sullivan's Cove. The above relates to the ground adjoining the Albert Battery.

I beg to remain,
Your obedient Servant,

JAS. CHISHOLM, *Master-Gunner.*

The Hon. the Colonial Secretary.

WILL the Hon. the Minister of Lands and Works be good enough to inform the Colonial Secretary with reference to the land forming part of the Battery Reserve, of which it appears Mr. M'Gregor has been allowed to take possession, in order that the necessary instructions may be given to the Master-Gunner?

A. KENNERLEY, *for the Colonial Secretary, absent.*
23rd May, 1876.

THE Governor in Council has authorised Mr. A. M'Gregor to occupy a strip of land to a width of 30 feet along the entire length of his private property; and arrangements are also made that Mr. M'Gregor be permitted to continue to occupy a paddock adjoining, for grazing purposes only, on payment of £5 5s. per annum. Both allotments are to be fenced at Mr. M'Gregor's expense. A diagram from survey will delineate the exact boundaries of the properties, and be furnished for the information of the Master-Gunner in charge of the battery.

WM. MOORE.
25th May, 76.

FORWARDED for the information and guidance of the Master-Gunner.

GEORGE GILMORE.
29th May, 76.

14th August, 1876.

SIR,

THE enclosed plan with particulars hereon, according to my reading, does not sanction the boundary fence of Battery Grounds to be pulled down, which to me is a very objectionable course, and if allowed, may in time to come cause some difficulty in settling boundaries. I should be glad of more explicit instructions on this matter, as Mr. A. M'Gregor may be permitted to occupy without adopting the course now being carried out, viz., the removal of the boundary fence that was erected at a great cost on a stone foundation by the Imperial Government.

JAMES CHISHOLM, *Master-Gunner.*

The Hon. the Minister of Lands and Works.

Master-Gunner's Office, 21st August, 1876.

SIR,

THE 30 feet of ground, being part of the Albert Battery lately granted to A. M'Gregor, Esq., is being fenced by his men.

I would request that some officer of the Public Works Department be instructed to see that the fresh boundaries are correctly marked, &c. before the fence is finally done.

I am in charge of the battery, and would like to be present when the officer is present.

Mr. M'Gregor is also removing the virgin soil from the other part of the battery the property of H.M. Government, and putting it on his own land. I do not think this is in the agreement.

I have been at the Public Works Office to see about this, but Mr. Smith is sick, and Mr. Cheverton says he has not time to see about it.

Yours obediently,

JAMES CHISHOLM, *Master-Gunner.*

The Hon. the Colonial Secretary.

FORWARDED to the Hon. the Minister of Lands and Works with the request that he will cause the matters referred to herein to be enquired into.

THOS. REIBEY.
22 Aug. 76.

WILL the Overseer of Works please report upon this matter.

WM. SMITH, *for D.P.W.*
23. 8. 76.

THE fence in question, taking in 30 feet of ground, is being erected with portions of the old material from original boundary fence, the remaining portion being new. The distance taken in is 30 feet clear of posts and face of wall of Mr. M'Gregor's house.

There has been a little soil removed outside of boundary fence to regulate surface of ground.

This matter was not arranged through the Public Works Office.

W. H. CHEVERTON, *Overseer of Works.*
29th Aug. 1876.

I APPROVE of Mr. Cheverton's report.

C. O'REILLY.

FORWARDED for the information of the Hon. the Colonial Secretary.

WILLIAM SMITH, *for D.P.W.*
19. 9. 76.

THE Foreman of Works having stated in his report that this matter was not arranged through the Public Works Office, would the Minister of Lands and Works be good enough to make enquiries as to where the responsibility rests, and arrange to secure the due fulfilment of all obligations on the part of Mr. M'Gregor?

THOS. REIBEY.
20 Sept. 1876.

THIS matter was carried out by the Lands branch of this Department by the Hon. W. Moore, Minister of Lands, who passed an Executive authority, and entered into an agreement as to the holding of a strip of ground 30 feet wide forming part of the Battery Reserve.

G. F. LOVETT.
3 Oct. 1876.

Master-Gunner's Office, 2nd March, 1877.

SIR,

I RECEIVED from you on 29th May, 1876, a memo. that Mr. A. M'Gregor had allotted to him to occupy a strip of land of 30 feet (adjoining the Albert Battery) all the length of his private property; and also to rent for grazing purposes the paddock adjoining, at a rent of £5 per annum, and both allotments to be fenced at Mr. M'Gregor's expense. The boundary fence has been removed and another boundary fence put up, the best part of the old fence used up in it; but the fence of the grazing paddock has not to this day ever been touched, although I have repeatedly called on Mr. Lovett, Lands and Works Office, about the same.

On the 31st March, 1877, two years' rent (£10) is due from Mr. M'Gregor to H.M. Government; and I believe Mr. M'Gregor is willing to pay the amount due, but the Treasury Department say they want an authority before they receive it.

All I want is the fence put up as per agreement, and the £10 due would put up a good fence. The memo. above referred to was sent to the Minister of Lands for further instructions on the 14th August, 1876, but no answer has yet been received.

I have the honor to remain,
Your obedient Servant,

JAMES CHISHOLM, *Master-Gunner.*

The Hon. the Colonial Secretary.

FORWARDED to the Hon. the Minister of Lands and Works, with the request that no further delay may occur in furnishing the Colonial Treasurer with the necessary authority to receive the rent due from Mr. M'Gregor, and in taking such steps as may ensure the immediate fulfilment by Mr. M'Gregor of the terms of his agreement.

THOS. REIBEY.
2nd March, 1877.

REFERRED to Mr. Lovett. The paddock was originally let to Mr. M'Gregor by the Imperial Government.

H. J. H.—5. 3. 77.

MR. Alexander M'Gregor had an occupation licence of part of the Battery Reserve for grazing purposes, from year to year, on payment of £5 5s. per annum. Some two years ago the rent was refused at the Treasury: Mr. M'Gregor on a second occasion tendered the rent and it was refused. Subsequently the Hon. W. Moore, Minister of Lands and Works, verbally arranged with Mr. M'Gregor with respect to the boundary fence, and agreed that if the latter would erect a new fence it would be a set-off against the back rent due; but that he would be required to pay the £5 5s. per annum as heretofore. I have repeatedly spoken to Mr. M'Gregor on the subject, and urged him to perform his part of the agreement referred to; but as the Treasury are not in a position to receive the rent for want of an authority (withheld until the fence is erected as agreed), the matter remains in abeyance.

G. F. LOVETT.
5. 3. 77.

Will the Overseer of Works please see Mr. M'Gregor and Mr. Chisholm on this matter, and report cost of suitable fence?

WILLIAM SMITH, *for D.P.W.*
19. 4. 77.

THE fence in question is about 350 feet in length. It would require two slip panels, one at top to get to Battery, one at bottom to give access to Harbour Master's premises. I would recommend the fence to be constructed of sawn timber, posts to be 5 x 5, and four rails 4 x 2, to be tenoned and post to be mortised. The cost of fence would be about £15 15s., to include gates instead of slip panels. Mr. M'Gregor offers to put up the fence, and the amount to be deducted from his rent. This proposition I recommend to be accepted.

JOHN HELMER, *Overseer of Works.*
15. 6. 77.

THE recommendation of Overseer of Works approved, and work to be proceeded with at once. Three years rent to be paid into Treasury, and afterwards re-appropriated to cost of fence, £15 15s.

C. O'REILLY.
4. 7. 77.

New Wharf, Hobart Town, 18th July, 1877.

SIR,

I BEG to apply for a renewal of my lease of the paddock at Albert Battery, from 31st March last, upon same terms as heretofore, viz., £5 5s. per annum.

I am,

Sir,

Your obedient Servant,

ALEX. M'GREGOR.

The Hon. the Minister of Lands and Works.

THE lease cannot be granted as requested. Mr. M'Gregor may continue to occupy paddock upon the terms he has hitherto occupied the premises, viz., one year from 1st April, 1877.

C. O'R.
18. 7. 77.