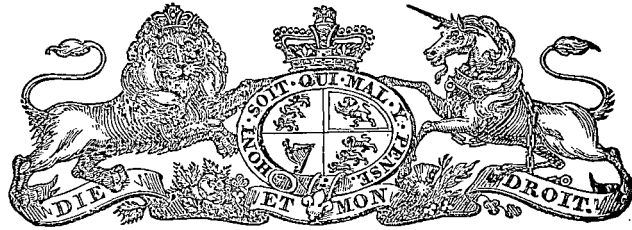


(No. 67.)



1880.

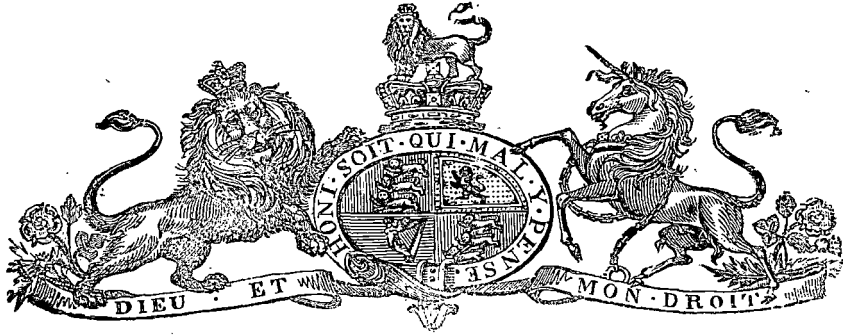
T A S M A N I A.

H O U S E O F A S S E M B L Y.

RECORDER OF TITLES :

REPORT UPON THE WORKING OF THE REAL PROPERTY
ACT FROM 1 JULY, 1878; TO 30 JUNE, 1880.

Laid upon the Table by the Attorney-General, and ordered by the House to be
printed, August 19, 1880.



Lands' Titles Office, Hobart Town, 3rd August, 1880.

SIR,

IN accordance with the request contained in your letter of 15th July, 1880, I have the honor to furnish, for the information of Parliament, a Report upon the working of the Real Property Act, from 1st July, 1878, to 30th June, 1880.

I also append Returns of the business transacted under the Act during the same period.

Traffic in land has been considerable, attributable, I consider, to the continued prosperity of the Colony; and the work of the office has therefore been steadily progressive.

Additional business has benefited the Department financially,—fees amounting to £1220 13s. 2d. having been paid into the Treasury during the last twelve months, as compared with £1134 12s. in the year preceding.

Unfortunately the strength of the office has not increased with the business of the Department. The number of officials at present is not greater than that of four years ago, although the work has day by day been enlarging. In 1876, 621,643 acres of land were under the provisions of the Real Property Act; and it is now expected that transactions relating to 721,745 acres should be completed with rapidity by a staff of officers numerically the same. I regret that my remonstrances on this subject have been unavailing. Economy, I presume, has prevented the Department from being maintained in adequate strength; and there has been the inevitable consequence that, in some cases, expedition, which is one of the chief attractions of the new system, has been impossible. Much disappointment has thus been occasioned where general satisfaction would otherwise, I believe, have prevailed. The success of the Real Property Act would, doubtless, have been more complete had the strength of the staff been sufficient to allow of business being transacted with the rapidity which the public had been led to expect.

It will be observed that the Department is not yet self-supporting. The expenditure under the head of Registrar of Deeds and Collector of Stamp Duties is, however, included in the sum annually spent; but if the receipts from the Registry of Deeds and the Stamp Duties collected, amounting to a large sum yearly, were taken into account, it would be found that the income of the Department far exceeds the outlay. As, however, it has been remarked—"It may shock stern economists that public tax-raised money should be spent to confer a benefit on individuals already lucky enough to possess land; but it may well be doubted whether we could lay out money in a manner more advantageous to posterity than by inducing the present generation of landowners to set their titles in order, and have them publicly registered." So long a period has now elapsed since the settlement of this Colony that titles to many properties, both in town and country, are long and intricate; and these are peculiarly the cases in which the Real Property Act might, with advantage be utilised.

It seems more than probable that practical effect will soon be given to the recommendation of the Select Committee of the House of Commons on Land Titles and Transfers, for the reform of the English land laws. The simplification of the law of Real Property, and the total abolition of many technicalities, are some of the alterations advised by the Real Property Law reformers; and towards these important changes, advocated by eminent English Conveyancers, the Real Property Act is a distinct step in advance. It would therefore be retrograding to allow a mistaken economy to prejudice the welfare of the system of title by registration, which has been successfully established in this Colony for more than eighteen years, particularly at a time when measures similar in some respects to those introduced by the Real Property Act appear to be contemplated by the English Parliament.

I have the honor to be,
Sir,

Your obedient Servant,

G. PATTEN ADAMS, *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.
1862 (last 6 months) ..	63	35,919	444	2	17	6190	0	0
1863	226	137,094	670	3	8	20,825	3	15
1864	247	111,799	402	0	39	32,408	1	1
1865	235	88,003	392	2	3	25,949	2	30
1866	201	107,154	388	2	28	21,685	3	14
1867	190	69,278	307	0	35	14,147	0	35
1868	170	65,900	230	1	35	15,063	3	30
1869	106	24,946	156	0	7	5162	0	18
1870	110	26,559	338	3	13	5136	1	10
1871	109	69,576	172	2	28	12,919	0	8
1872	110	38,043	231	2	8	7594	0	29
1873	118	35,921	204	1	31	7688	3	18
1874	88	24,788	192	2	35	5428	1	26
1875	123	52,892	195	3	31	6937	1	20
1876	108	30,692	102	2	38	3111	0	22
1877	101	43,813	259	1	19	4895	1	23
1878	96	52,502	275	3	29	10,739	2	18
1879	116	50,641	189	3	27	3773	2	10
1880 (first 6 months) ..	53	11,837	118	3	4	301	2	39
	2570	1,078,357	5275	1	35	209,958	2	6
						5275	1	35
						215,234	0	1

No. 2.

GRANTS registered.

YEAR.	NO.	VALUE.	AREA.					
			Town and Suburbs.			Country.		
		£	A.	R.	P.	A.	R.	P.
1862 (last 6 months) ..	42	1616	78	3	7	1445	0	9
1863	214	10,248	449	3	30	11,114	0	9
1864	154	11,833	227	2	26	14,859	1	34
1865	254	15,848	458	3	8	26,305	2	19
1866	298	14,652	342	2	33	25,474	1	6
1867	206	7475	201	0	21	13,810	3	2
1868	138	11,923	207	3	7	17,010	0	20
1869	146	17,788	154	2	7	24,013	0	0
1870	166	17,211	198	3	7	25,679	0	36
1871	194	29,168	95	3	3	47,690	2	34
1872	230	31,521	223	3	22	45,125	3	32
1873	471	40,447	1350	2	38	50,042	1	30
1874	567	44,435	788	0	9	56,607	3	16
1875	326	33,241	559	2	13	41,444	0	32
1876	366	22,968	451	3	12	29,723	1	15
1877	321	18,517	442	1	0	18,744	1	5
1878	369	24,460	653	2	29	20,431	3	38
1879	315	23,080	558	0	22	22,862	0	0
1880 (first 6 months) ..	97	7566	92	0	20	6591	0	23
	4874	383,987	7536	0	34	498,975	2	0
						7536	0	34
						506,511	2	34

No. 3.

TRANSFERS.

YEAR.	NO.	VALUE.	AREA.					
			Town and Suburbs.			Country.		
			A.	R.	P.	A.	R.	P.
1862 (last 6 months) . .	1	£ 60	1	0	25	—	—	—
1863	29	4587	47	3	26	781	0	17
1864	47	16,162	88	2	8	3766	2	15
1865	79	24,269	116	0	21	5917	0	31
1866	57	17,692	100	1	10	4887	1	35
1867	99	19,590	166	0	16	4667	3	36
1868	111	21,485	204	1	24	13,186	2	36
1869	97	18,779	75	0	27	2712	1	11
1870	116	18,152	198	3	7	25,679	0	36
1871	155	23,659	176	2	10	7326	1	35
1872	145	27,507	156	2	39	36,308	0	0
1873	137	49,499	206	3	12	20,652	0	37
1874	170	42,677	184	3	16	24,427	3	5
1875	214	55,255	390	2	3	31,193	1	28
1876	250	53,563	448	1	13	15,251	3	30
1877	349	73,193	531	2	11	26,045	3	34
1878	344	88,938	574	0	2	29,791	0	28
1879	385	84,859	783	0	17	22,367	1	5
1880 (first 6 months) . .	167	44,005	163	2	13	9664	2	25
	2952	683,931	4614	2	20	284,627	1	14
						4614	2	20
						289,241	3	34

No. 4.

MORTGAGES registered.

UNDER REAL PROPERTY ACT.						UNDER OLD SYSTEM.				
YEAR.	NO.	VALUE.	AREA.							
			Town and Suburbs.			Country.			NO.	VALUE.
			A.	R.	P.	A.	R.	P.		
1862 (last 6 months)	7	£ 4522	30	2	21	1139	3	10	172	78,798
1863	39	36,291	89	1	13	5780	1	9	234	218,214
1864	60	34,251	91	2	10	14,147	3	0	205	165,132
1865	88	39,297	122	1	19	17,138	1	20	186	126,280
1866	113	46,756	180	0	10	23,438	3	36	203	109,352
1867	86	37,942	187	0	7	22,178	1	18	222	122,198
1868	102	30,471	125	0	23	16,290	0	2	251	156,310
1869	101	35,412	117	1	39	17,364	1	1	269	145,690
1870	117	46,341	301	3	25	33,043	2	24	234	139,138
1871	139	41,487	124	1	28	18,681	3	26	254	129,336
1872	127	40,553	171	3	16	18,649	0	12	250	119,537
1873	117	53,880	126	2	0	18,894	0	6	250	175,531
1874	121	36,393	133	1	9	16,287	1	2	219	113,780
1875	127	31,263	275	1	17	21,682	2	25	273	242,574
1876	168	55,994	128	1	30	33,884	0	28	338	231,984
1877	234	103,057	435	3	27	26,201	2	12	357	173,992
1878	249	112,994	224	1	25	43,544	3	34	419	284,245
1879	269	126,355	587	2	28	43,653	2	1	452	248,052
1880 (first 6 months)	127	55,264	279	0	10	23,533	3	33	—	—
	2391	968,523	3732	1	37	425,534	2	19		
						3732	1	37		
						429,267	0	16		

No. 5.

MORTGAGES.

DISCHARGED.					TRANSFERRED.												
YEAR.	NO.	VALUE.	AREA.			YEAR.	NO.	VALUE.	AREA.								
			Town and Suburbs.		Country.				Town and Suburbs.		Country.						
		£	A.	R.	P.			£	A.	R.	P.						
1862....	—	—	—	—	—	1862....	—	—	—	—	—						
last 6 mos.						last 6 mos.											
1863....	—	—	—	—	—	1863....	—	—	—	—	—						
1864....	8	3050	40	1	17	0	2	0	1864....	1	154	0	0	37	—		
1865....	15	6357	18	1	13	2578	0	15	1865....	2	330	0	1	9	70	2	0
1866....	23	13,681	6	1	1	7151	2	0	1866....	3	850	0	0	15	4	2	36
1867....	25	10,422	63	1	13	10,126	3	17	1867....	3	1143	0	2	6	406	0	4
1868....	39	9522	136	2	3	1521	0	36	1868....	9	8630	1	0	22	3208	3	2
1869....	35	21,394	26	2	6	12,580	2	5	1869....	6	2347	0	3	13	769	2	4
1870....	49	20,116	112	0	31	6762	0	36	1870....	3	1242	2	0	34	705	2	17
1871....	60	21,359	117	3	17	5822	1	19	1871....	10	2989	55	1	6	3494	1	0
1872....	50	18,906	24	1	34	4747	0	20	1872....	7	1405	14	0	4	918	1	21
1873....	82	32,618	73	0	31	12,246	3	24	1873....	5	3550	2	2	29	3317	0	0
1874....	68	21,180	220	3	14	9081	1	32	1874....	5	15,695	—	—	—	10,480	0	0
1875....	83	19,415	269	2	34	6512	0	14	1875....	14	3687	1	3	1	1553	2	0
1876....	108	31,065	118	3	30	18,902	3	15	1876....	9	3980	—	—	—	7092	3	3
1877....	123	31,211	255	3	8	9879	2	18	1877....	8	2020	1	3	27	481	3	0
1878....	108	30,336	299	0	19	14,727	0	34	1878....	14	4737	0	0	18	3367	1	26
1879....	129	82,246	96	2	32	29,449	2	25	1879....	13	4670	0	3	4	2326	0	21
1880....	54	27,641	28	0	16	7584	3	11	1880....	8	4800	2	3	5	461	2	37
first 6 mos.									first 6 mos.								
	1059	400,519	1008	0	39	160,675	0	1		120	62,229	84	2	30	38,658	0	11
						1008	0	39							84	2	30
						161,683	1	0							38,742	3	1

No. 6.

LEASES.

YEAR.	NO.	VALUE.	AREA.					
			Town and Suburbs.		Country.			
		£	A.	R.	P.	A.	R.	P.
1862 (last 6 months) ..	—	—	—	—	—	—	—	—
1863.....	1	1080	4	3	17	—	—	—
1864.....	7	559	0	3	31	125	0	0
1865.....	11	1280	37	0	24	5195	2	10
1866.....	4	124	12	2	0	656	2	0
1867.....	6	403	1	1	27	1305	2	7
1868.....	8	267	20	1	33	777	0	0
1869.....	4	128	0	3	15	209	0	0
1870.....	5	705	0	0	26	6926	1	35
1871.....	3	59	—	—	—	219	3	0
1872.....	2	162	8	1	4	—	—	—
1873.....	7	695	1	1	39	2658	0	9
1874.....	5	290	0	2	0	7898	2	0
1875.....	6	345	0	3	3	2523	0	0
1876.....	11	781	4	2	38	4364	3	9
1877.....	8	298	—	—	—	153	3	35
1878.....	11	632	2	1	30	6857	3	24
1879.....	13	1742	1	2	14	9825	1	13
1880 (first 6 months) ..	8	2570	2	2	30	10,065	3	7
	120	12,120	100	3	11	59,762	0	29
						100	3	11
						59,863	0	0

No. 7.

APPLICATIONS on Death of Registered Proprietor.

YEAR.	NO.	VALUE.	AREA.					
			Town and Suburbs.			Country.		
		£	A.	R.	P.	A.	R.	P.
1862 (last 6 months) ..	—	—		—				
1863.....	—	—		—				
1864.....	1	200	2	0	3			
1865.....	—	—		—				
1866.....	2	533	22	1	33			
1867.....	1	1175	0	0	20			
1868.....	3	1480	2	2	39	1350	0	0
1869.....	4	1041	0	2	8	859	0	0
1870.....	7	5140	4	1	18	1336	0	0
1871.....	13	26,218	14	2	21	10,290	3	21
1872.....	13	4584	38	0	30	4715	3	7
1873.....	11	5154	46	3	19	857	0	37
1874.....	10	4826	2	3	37	3587	2	22
1875.....	21	6499	34	1	7	5756	2	10
1876.....	25	36,456	96	1	38	7664	2	36
1877.....	19	6200	63	3	26	1766	3	0
1878.....	35	53,875	151	3	22	13,756	2	35
1879.....	34	52,502	97	3	19	20,309	3	26
1880 (first 6 months) ..	18	3931	29	1	2	668	2	0
	217	209,814	608	2	22	72,919	2	34
						608	2	22
						73,528	1	16

No. 8.

OTHER Transactions mentioned in Statistics.

	1862. last 6 mos.	1863.	1864.	1865.	1866.	1867.	1868.	1869.	1870.	1871.	1872.	1873.	1874.	1875.	1876.	1877.	1878.	1879.	1880. first 6 mos.
Mortgages partially discharged ..	—	—	—	—	—	—	—	9	1	—	3	1	4	1	2	4	6	3	2
Powers of Attorney	—	—	—	2	2	5	1	1	5	3	3	5	4	12	8	8	11	6	4
Surrenders of Lease	—	—	—	2	—	—	—	1	3	2	1	1	—	—	—	—	2	2	2
Transfers of Lease.....	—	—	1	—	—	—	—	—	—	—	—	—	—	—	—	1	—	—	—
Transfers by Death or Bankruptcy	—	—	—	—	—	2	6	—	2	3	17	2	7	13	12	17	25	33	11
Foreclosure Orders	—	—	—	1	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—
Encumbrances	—	—	—	—	3	—	—	—	—	—	—	—	—	—	—	—	2	—	2
Order of Supreme Court.....	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—	1	—	—	1
Provisional Land Grant	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—	—	—	—	—
Writ of <i>Fi. Fa.</i>	—	—	—	—	—	—	—	—	—	—	—	1	—	1	—	2	3	1	3
Registration Abstract	—	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—	—	—	—
Office Copy	—	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—	—	—	1
Entry of Marriage of Proprietor..	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—	1	—	—	—
Entry of Death of Annuitant	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—	—
Registration of Proprietor on Let- ters of Administration	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Estate in Remainder	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1