

(No. 50.)



1876.

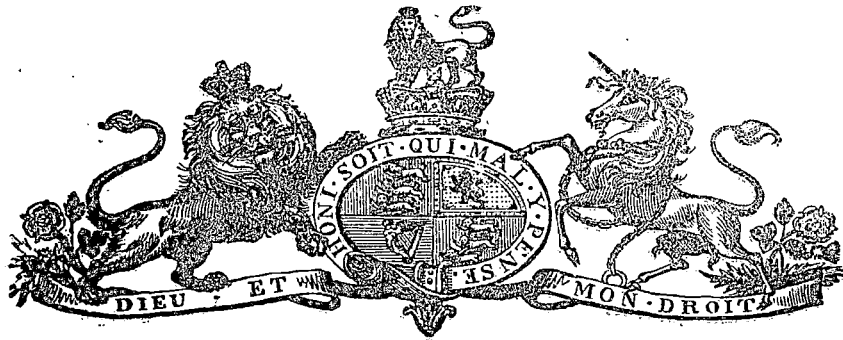
TASMANIA.

HOUSE OF ASSEMBLY.

LANDS' TITLES OFFICE.

REPORT OF RECORDER OF TITLES ON MR. W. RITCHIE'S
LETTERS.

Laid upon the Table by the Attorney-General, and ordered by the House to be
printed, September 20, 1876.



Lands' Titles Office, Hobart Town, 18th September, 1876.

SIR,

I HAVE the honor to acknowledge the receipt of your Memo. of the 15th instant, requesting my report on two letters signed "W. Ritchie," in the *Launceston Examiner*, of Sept. 5th and Sept. 14th, at my earliest convenience.

The charges contained in the letter of the *Launceston Examiner* of the 5th instant, as to arrears of Index and delay in completing transactions, are not without foundation, as stated in the letters of the late Recorder of Titles to the Honorable the late Attorney-General, dated 3rd June, 1876; but while freely admitting the necessity of amendment in these particulars, other allegations must be received with great caution.

I cannot allow to pass unnoticed such a statement as "the staff of officers, if efficient and attentive to their duties, should be amply sufficient to do the very moderate amount of work they have to perform."

The strength of the Department, almost from the date of its establishment in 1862, has never been sufficient to allow of the ever increasing business of the Office being conducted with that ease and rapidity which, coupled with simplicity and cheapness, are essential elements in the success of title by registration. I have the honor to forward a return of the land granted and sold by the Crown, and under the operation of the Real Property Act, from 1862 to 1875; from which it will appear that there has been a large annual addition to the area of land coming under the Act, entailing a proportionate increase in the number of transactions and consequent labour on the part of the officials. In fact, more than one-third of the conveyancing business of the Colony is now transacted through the medium of the Lands' Titles Office.

While the business of the Office has thus been annually on the increase, the strength of the Department has not kept pace in the same degree, as, until its re-organisation in July last, the permanent staff of officials was almost numerically the same as when the Real Property Act first came into operation;—this is shown by a return of the officers engaged in the department in January, 1864, and January, 1876, which I have the honor to forward.

Under these circumstances it need occasion no surprise that, at the time of my taking office (July 3rd, 1876), the Index was several years in arrear, and that there was a considerable accumulation of other business. The re-organisation of the department had long become a necessity, as the many responsible offices held by my predecessor, Mr. Buckland, prevented his time and attention being devoted to the duties of Recorder of Titles which the nature of that office imperatively demanded.

During my fourteen years' service as Solicitor to the Lands' Titles Commissioners the work of that office has never been in arrear, and since my resignation (3rd July, 1876), the business has been satisfactorily advanced by my successor; but I would remark that, allowing the Solicitor to the Department to give his undivided attention to the work of his office, as at present, instead of subjecting him to interruption at all times on matters connected with the collection of Stamp Duties and Registration of Deeds,—other and wholly different offices,—is an arrangement which should long ago have been effected, and cannot, in my opinion, fail to be marked by great and permanent benefit. The addition of two clerks to the permanent staff has already produced good effect; but as the work is continually increasing I consider further strength may soon be required.

In all matters affecting the Department economy has hitherto been carried to extremes, and whilst deprecating lavish expenditure, I am convinced that had the staff of officers been maintained in adequate strength the arrears of work now complained of would never have accumulated.

It being within Mr. Ritchie's knowledge "that delay has extended without any adequate excuse over years," it may fairly be asked, why he did not make his complaint earlier, and what good reason can be assigned for his delaying to do so until he was well aware that by the recent changes in the Department the necessary steps had been taken to remedy the evils he so loudly proclaims? Since my appointment as Recorder of Titles I have received numerous letters from Mr. Ritchie on various business matters, but in none of these communications was there expressed the slightest dissatisfaction with, or complaints of, the Lands' Titles Office and its officials on account of delay—this was to be reserved, it seems, for the columns of a newspaper.

On the 26th ult. eleven certificates of titles to lands belonging to his clients, of the aggregate declared value of £26,650, were forwarded to Mr. Ritchie, which in some measure refutes the accusation of laziness he so unhesitatingly brings against the officers of the Department, particularly as all these certificates became due only on the 7th ultimo.

A Bill to effect certain alterations in the Real Property Act was introduced in the last session of Parliament, but that it did not become law appears to Mr. Ritchie to have been the fault of the officials; probably he would also have some difficulty in substantiating this charge.

In my somewhat protracted correspondence with Mr. Ritchie he has been informed, "that the forms given in the schedule to the Real Property Act may be modified to suit the requirements of parties or the exigencies of particular cases;" and I am not aware that any such modified form has ever been questioned, unless the alterations have been in matter of substance and of such a character as to affect the regularity and validity of the document,—and of the latitude thus allowed, I may state, Mr. Ritchie has availed himself. Why his attempts to vary the forms given in the schedule to the Act have been accompanied with "fear and trembling" I am therefore at a loss to understand, and consider his apprehensions were perfectly groundless.

With reference to Mr. Ritchie's letter in the *Launceston Examiner* of the 14th inst., Mr. Jackson has furnished me with the explanation set forth in the letters, copies of which I have the honor to enclose.

Mr. Ritchie's letters received by me, although numerous, I have never yet failed to answer; and had the communications of the non-acknowledgment of which he complains been addressed to me instead of to the Solicitor to the Lands' Titles Commissioners, who, from his appointment to the office having been so recent, knew nothing of the subject therein referred to, Mr. Ritchie's Certificate of Title would probably have issued immediately on the receipt of his first letter instead of being forwarded on the 16th instant. To men conversant with business it may appear strange that Mr. Ritchie, failing to obtain from the Solicitor a reply to his letters, did not address himself to the head of the Department before making an officer of only a few weeks standing the subject of a newspaper attack. The good taste of this proceeding may perhaps be questioned.

The importance of having the business of the office conducted expeditiously is fully recognised by me, but it must be evident that the arrears of work accumulating for several years cannot be cleared off in as many weeks without employing a much larger staff of officials than is at present available. Indexing and other work, too long neglected, is being proceeded with vigorously, and I trust the character of the office will soon be re-established for conducting business with cheapness, simplicity, and above all, expedition.

I may be allowed to state, that my lengthened experience in the Lands' Titles Office warrants me in expressing my conviction that Mr. Ritchie's charges of laziness, discourtesy, and incompetency, as applied to the officers of the department, are not justified by facts, and are therefore uncalled for.

I have the honor to be,
Sir,

Your obedient Servant,
GEO. PATTEN ADAMS, *Recorder of Titles.*

The Honorable the Attorney-General.

(Copy.)

Lands' Titles Office, 16th September, 1876.

SIR,

WITH respect to the letter appearing in the *Launceston Examiner* of the 14th instant, signed "William Ritchie," wherein reference is made to me, and to which you have called my attention, I beg to submit the following explanation:—

On the 25th ultimo I received a letter from Messrs. Ritchie & Parker stating that a certain transfer had been filed in this office on May 17th, and asking what was the cause of the long delay in so simple a matter as the issue of a new Certificate of Title.

On the 11th instant I received another letter from the same gentlemen on the same subject, and asking the reason for delaying the issue of the Certificate of Title.

I regret that I did not immediately return these letters with an endorsement that having entered this office on the 3rd July last I had no knowledge whatever of the transfer alluded to; and further, that Messrs. Ritchie & Parker were writing to me for an explanation which it was not only not my duty to give, but not even in my power as Solicitor to the Department to afford. In order, however, to further their views with as little delay as possible, directly I received their letters I forwarded them to the Department of the Office to which Messrs. Ritchie & Parker ought to have addressed them in the first instance.

From the above you will see that there was no want of common courtesy shown by me to Mr. Ritchie, and I hope I need not add that there was no intention on my part to be discourteous.

I enclose herewith a copy of a letter which I yesterday forwarded to Mr. Ritchie on this subject.

I have the honor to be,
Sir,

Your obedient Servant,

JOHN A. JACKSON.

To the Recorder of Titles.

(Copy.)

Lands' Titles Office, 15th September, 1876.

SIR, My attention has been called to a letter in the *Launceston Examiner* of the 14th inst., signed by you. In reply thereto I beg to state that both the letters you refer to were immediately on receipt forwarded to the Department of this office to which they ought to have been sent in the first instance. Had your letters been connected with the duties of my office I would of course have dealt with them myself; as I could not do that I did my best to promote the object you had in view by immediately forwarding them to the proper quarter instead of simply returning them to you in the more regular way, and which I regret now I did not follow, with an intimation that your letters had reference to matters on which I could afford no information, inasmuch as they were not connected with my duties.

I have the honor to be,
Sir,

Your obedient Servant,

JOHN A. JACKSON.

WM. RITCHIE, Esq., Solicitor, Launceston.

RETURN of the Officers of the Lands' Titles Department.

<i>January, 1864.</i>	<i>January, 1876.</i>
1. Recorder of Titles.* 2. Solicitor to the Lands' Titles Commissioners. 3. Clerk and Draftsman. 4. Draftsman.	1. Recorder of Titles.† 2. Solicitor to the Lands' Titles Commissioners. 3. Clerk and Draftsman. 4. Draftsman. 5. Clerk (junior).

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* In 1864 the Recorder of Titles was also Registrar of Deeds, and the Solicitor held no other office.

† In 1876 the office of Recorder of Titles was held by the Registrar of the Supreme Court in addition to his other offices, and the Solicitor was also Registrar of Deeds and Collector of Stamp Duties.

	1862.	1863.	1864.	1865.	1866.	1867.	1868.	1869.	1870.	1871.	1872.	1873.	1874.	1875.
Land granted or sold by the Crown	acres.	acres.	acres.	acres.	acres.	acres.	acres.	acres.	acres.	acres.	acres.	acres.	acres.	acres.
	3,335,239	3,413,810	3,555,191	3,647,305	3,709,595	3,739,766	3,763,067	3,782,542	3,806,301	3,837,185	3,863,350	3,905,485	3,982,003	4,024,808
Land under Act	8758	41,219	89,116	142,223	190,114	218,581	251,090	280,576	311,929	372,807	425,983	485,269	548,286	597,417
	<i>i.e.</i> $\frac{1}{409}$	$\frac{1}{83}$	$\frac{1}{40}$	$\frac{1}{25}$	$\frac{1}{20}$	$\frac{1}{17}$	$\frac{1}{15}$	$\frac{1}{13}$	$\frac{1}{12}$	$\frac{1}{10}$	$\frac{1}{9}$	$\frac{1}{8}$	$\frac{1}{7}$	$\frac{1}{6}$ 7371