

(No. 28.)



1867.

T A S M A N I A.

C E M E T E R I E S.

C O R R E S P O N D E N C E.

Laid upon the Table by the Colonial Treasurer, and ordered by the House to be printed, 7 February, 1867.



*CORRESPONDENCE between the Government and the Trustees appointed under
the Act for the Establishment of CEMETERIES.*

Colonial Secretary's Office, 26th March, 1866.

SIR,

I AM directed by the Colonial Secretary to forward to you the enclosed letter and tracing from Mr. T. Giblin, offering certain land at New Town for the proposed Public Cemetery.

I am, &c.,

(Signed) F. C. TRIBE.

*The Hon. ROBERT OFFICER, Esq., M.H.A.,
Chairman of the Cemeteries Trustees.*

Hobart Town, 31st March, 1866.

SIR,

IN accordance with a Resolution passed by the Trustees appointed under the "Cemeteries Act, 1865," I have the honor respectfully to request that the Government will be so good as to take the necessary steps for preventing funerals from passing through any portion of the Domain on the way to or from the Cemetery.

I have the honor to be,

Sir,

Your obedient Servant,

R. OFFICER, *Chairman.*

The Hon. the Colonial Secretary.

Colonial Secretary's Office, 25th April, 1866.

SIR,

I HAVE to acknowledge the receipt of your letter of the 31st ultimo, and to inform you that, in accordance with the request contained therein, a Bill will be laid before Parliament when next in Session having for its object the vesting in the Cemetery Trustees the land on the road leading from Cornelian Bay to New Town Bay.

I have, &c.,

(Signed) JAMES WHYTE.

The Hon. R. OFFICER, Esq.

Hobart Town, 31st March, 1866.

SIR,

AT a meeting of the Trustees appointed under the "Cemeteries Act, 1865," held on the 20th instant, it was resolved "that, in accordance with the 6th Section of the 'Cemeteries Act, 1865,' the

Trustees do apply to the Governor in Council for his consent to purchase and take, in the mode prescribed by the Lands' Clauses Act, the whole of Cornelian Bay Point to the right of the roadway leading from Cornelian Bay to New Town Bay, containing an area of 80 acres more or less."

I have now, therefore, the honor to request that you will be so good as to take the necessary steps for obtaining the sanction of the Governor in Council to the proposed purchase.

I have the honor to be,
Sir,

Your obedient Servant,
R. OFFICER, *Chairman.*

The Hon. the Colonial Secretary.

Colonial Secretary's Office, 24th April, 1866.

SIR,

IN reply to your letter of the 31st ultimo, requesting me to obtain the sanction of the Governor in Council to the purchase by the Trustees appointed under the "Cemeteries Act of 1865," in the mode prescribed by the Lands' Clauses Act, the whole of Cornelian Bay Point to the right of the roadway leading from Cornelian Bay to New Town Bay, containing an area of about 80 acres, more or less, I have the honor to inform you that the Governor in Council has been pleased to approve of the proposed purchase.

I have, &c.,

(Signed) JAMES WHYTE.

The Hon. R. OFFICER, Esq., M.H.A., Chairman.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office, Hobart Town, 21st May, 1866.

Submitted, That the *Gazette* Notice of March 12th, 1866, appointing the Trustees under the Cemeteries Act, having been declared informal by reason of no particular Cemetery being mentioned in the appointment, the Trustees hereafter named be now appointed as and to be Trustees of the Hobart Town Public Cemetery, in accordance with the provisions of the 2nd Section of the above-mentioned Act:—

Robert Ballantine, Esq.
Henry Butler, Esq.
William Rose Falconer, Esq.
Henry Hunter, Esq.
The Hon. Alfred Kennerley, Esq., M.L.C.
The Hon. Alexander Kissock, Esq., M.L.C.
The Hon. Robert Officer, Esq., M.H.A.
William Rout, Esq.
Robert Walker, Esq., M.H.A.

The Governor in Council approves,

E. C. NOWELL.
21st May, 1866.

The Honorable the Colonial Secretary.

Colonial Secretary's Office, 22nd May, 1866.

SIR,

YOUR letter of the 15th instant having been referred to the Attorney-General, that Officer has reported that, his attention having been drawn to the *Gazette* Notice notifying the appointment of the Trustees, it appears to be informal, inasmuch as the Cemetery is not specified; and, in accordance with his advice, the Governor has been pleased to re-appoint the Trustees, and the same will be notified in the next *Gazette*.

With respect to the enquiry whether the services of the Law Officers will be available to the Trustees, I have to inform you that the Solicitor-General has been instructed to afford them whatever legal assistance they may require.

I have, &c.,

(Signed) JAMES WHYTE.

The Hon. R. OFFICER, Esq.

GOVERNMENT NOTICE.

No. 88.

Colonial Secretary's Office, 28th May, 1866.

In accordance with the provisions of "The Cemeteries Act," the Governor in Council has been pleased to appoint the following gentlemen to be Trustees for the Hobart Town Public Cemetery :—

Robert Ballantine, Esquire.
 Henry Butler, Esquire.
 William Rose Falconer, Esquire.
 Henry Hunter, Esquire.
 The Honorable Alfred Kennerley, Esquire, M.L.C.
 The Honorable Robert Officer, Esquire, M.H.A.
 William Rout, Esquire.
 Robert Walker, Esquire, M.H.A.

By His Excellency's Command,
 JAMES WHYTE.

Colonial Secretary's Office, 18th July, 1866.

SIR, WILL you inform me if it would be agreeable to you to act as a Trustee under the Cemeteries Act?

I have, &c.,
 (Signed) JAMES WHYTE.

H. HOPKINS, JUN., *Esq., New Town.*

New Town Park, July 19th, 1866.

SIR, I AM in receipt of yours of yesterday. In reply I beg to state that I have not any objection to act as Trustee under the Cemeteries Act.

I have the honor to remain,
 Your obedient Servant,
 HENRY HOPKINS, JUN.

JAMES WHYTE, *Esq., Colonial Secretary, Hobart Town.*

The Governor in Council appoints Mr. Hopkins a Commissioner.

E. C. NOWELL.
 23rd July, 1866.

The Hon. the Colonial Secretary.

GOVERNMENT NOTICE.

No. 135.

Colonial Secretary's Office, 23rd July, 1866.

In accordance with the provisions of "The Cemeteries Act," the Governor in Council has been pleased to appoint Henry Hopkins, Junior, Esquire, to be a Trustee for the purposes of the said Act.

By His Excellency's Command,
 JAMES WHYTE.

Colonial Secretary's Office, 23rd July, 1866.

SIR, I HAVE to inform you that the Governor has been pleased to appoint Mr. Henry Hopkins, Junior, to be a Cemetery Trustee in the room of Mr. Ballantine, who has left the Colony.

I have, &c.,
 (Signed) JAMES WHYTE.

The Hon. R. OFFICER, Esq., M.H.A.

Colonial Secretary's Office, 24th July, 1866.

SIR,

I HAVE the honor to forward for the information of the Cemetery Trustees the enclosed letters from the Colonial Secretary of New South Wales, dated the 12th instant, and from the Chief Secretary of Victoria, dated May, giving cover to Cemetery Regulations, &c. in force in those Colonies.

I have, &c.,

(Signed) JAMES WHYTE.

The Hon. R. OFFICER, Esq., M.H.A.

Hobart Town, 16th August, 1866.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 24th ultimo, giving cover to certain documents from the Governments of New South Wales and Victoria in connection with the Cemeteries in those Colonies, and I am desired by the Trustees to return you their thanks for the papers in question.

I have the honor to be,

Sir,

Your obedient Servant,

R. OFFICER, *Chairman.*

The Hon. the Colonial Secretary.

Hobart Town, 7th August, 1866.

SIR,

I HAVE been instructed by the Cemetery Trustees to inform you that they have been, and still are, entirely prevented from proceeding with the work entrusted to them from the want of the necessary Form of Notice to be served on the various owners of the lands which they have decided to take, under the Lands Clauses Act, for the purposes of the Cemetery, for which they have made repeated application to the Crown Solicitor.

The Trustees respectfully request that you will give such instructions as will cause them to be furnished with the required Form without further loss of time.

I have the honor to be,

Sir,

Your obedient Servant,

R. OFFICER, *Chairman.*

The Hon. the Colonial Secretary.

Colonial Secretary's Office, 8th August, 1866.

SIR,

IN reply to your letter of yesterday's date, I have to acquaint you that the delay in the preparation of the notice to be served on the owners of the land which has been selected for the Cemetery has been caused by the illness of the Solicitor-General, but that I trust that the Form will now be furnished without any further loss of time.

I have, &c.,

(Signed) JAMES WHYTE.

The Hon. R. OFFICER, Esq.

Colonial Secretary's Office, 17th October, 1866.

SIR,

I AM directed to request that you will ascertain and report, at your earliest convenience, the amount for which the land at Cornelian Bay, which it is proposed to form into a Public Cemetery, could be purchased by private contract.

I have, &c.,

(Signed) B. TRAVERS SOLLY.

The Director of Public Works.

Office of Public Works, Hobart Town, 6th November, 1866.

SIR,

IN obedience to instruction "B 737," under date the 17th instant, directing "that you will ascertain and report, at your earliest convenience, the amount for which the land at Cornelian Bay, which it is proposed to form into a Public Cemetery, could be purchased by private contract," I have the honor to represent that I addressed letters to the several owners on the 19th ultimo, and again on the 31st, and append the result of my enquiries.

The last reply was only received by me this day from Mr. Richard Butters.

I have the honor to be,
Sir,

Your very obedient Servant,

W. R. FALCONER, *Director of Public Works.*

The Hon. the Colonial Secretary.

Hobart Town, 1st November, 1866.

DEAR SIR,

IN answer to letter respecting the land belonging to me at New Town Bay, I beg to state the price that I am prepared to take is £400 for the two allotments: the price paid to Government was £200. Since it was purchased it has been fenced; several thousand loads of earth have been carted upon it; it has been well manured and trenched; trees have been planted,—in fact no expense has been spared. It is not my wish to sell it, but of course, under the circumstances, I am willing to dispose of it at the above price, and even then I shall be a considerable loser.

I remain,

Your obedient Servant,

AM. MILLS.

P.S.—It is now under lease to Mr. John Hall.

W. R. FALCONER, *Esq., Director of Public Works.*

King-street, Hobart Town, 5th November, 1866.

SIR,

IN reply to your communication respecting the allotment of land purchased by my late son, Mr. Thomas P. Ball, at Cornelian Bay, I beg to state I am willing to restore it again to the Government for the sum of (£300) Three hundred Pounds. In naming this sum I merely include the expenses laid out on the land for fencing, clearing, ploughing, &c., with interest on the principal cost of the ground paid by Mr. Ball.

I remain, Sir,

Your most obedient Servant,

AMY BALL.

The Director of Public Works.

New Town, 29th October, 1866.

SIR,

IN answer to your Memorandum seeking to ascertain the lowest price we are prepared to take for certain land situated at Cornelian Bay, in the event of its being required for a Cemetery, the said land containing 3 acres 3 roods 38 perches, and being Lot 3, we beg to state that the lowest price we feel prepared to accept is the original purchase money*, with 6 per cent. interest on same from date of first instalment.

We may mention that, at the time this land was offered for sale, it was generally understood that certain improvements would be effected upon it by the Government, such as forming the

* £256 6s.

Esplanade into a drive or a walk, &c., by surrounding the land with a handsome fence, and planting trees throughout the drive, and otherwise making it a place worthy of public resort. Had we not been led away by this impression, we should most certainly have invested our small amount capital in Government Debentures.

We beg to remain,
Sir,

Your obedient Servants,
H. BOYES.
G. W. FLETCHER.

W. R. FALCONER, *Esq.*, *Director of Public Works.*

Will Messrs. Fletcher and Boyes be good enough to state if the sum set forth in the margin of this letter; viz.—£256 6s., is the price required by them for the Lot numbered “3” on Chart, and set down at 3 acres 3 roods and 38 perches?

W. R. FALCONER, *Director of Public Works.*
31st October, 1866.

Messrs. BOYES and FLETCHER.

No; the £256 6s. shown in the margin of the within letter is only the original purchase money; and the amount we require for the lot in question is that sum, together with 6 per cent. interest added from the date of purchase; viz.—

	£	s.	d.
Original purchase money	256	6	0
Interest at the rate of 6 per cent. for 8 years ..	123	0	8
	<hr/>		
	£379	6	8
	<hr/> <hr/>		

G. W. FLETCHER, *New Town.*
1st November, 1866.

The Director of Public Works.

Hobart Town, 23rd October, 1866.

SIR,

IN reply to your letter of 19th instant, I beg to state that the price I require for the under-mentioned land at Cornelian Bay is the sum of £300 (Three hundred Pounds). Lot 4—4 acres 2 roods 18 perches.

Yours obediently,

JAMES H. B. WALCH.

W. R. FALCONER, *Esq.*, *Director of Public Works.*

Hobart Town, 29th October, 1866.

SIR,

IN reply to your Memorandum of the 19th instant, enquiring the lowest price I am prepared to take for the land named in the margin*, in the event of its being required for a Public Cemetery, I beg to say that the sum paid to the Government for the land in question was £254 2s., in addition to which the following expenses have been incurred:—Fencing land, £40, erecting buildings, £30.

Consequently, without making any charge for the expenses entailed in breaking up the land, and making no claim for interest on purchase money since 1858, I name £324 2s. as the lowest sum I am prepared to take for it.

I have the honor to be,
Sir,

Your most obedient Servant,
FRANK DUNNETT.

The Director of Public Works.

* Cornelian Bay, Lot 5, 4 acres 2 roods 8 perches.

Hobart Town, 31st October, 1866.

SIR,

IN reply to your communication of the 19th instant, enquiring my price for certain land at Cornelian Bay, in the event of its being required for a Public Cemetery, I have to inform you that I am willing to accept the same price as I paid to Government for the same, which I *think* was at the rate of Fifty Pounds per acre.*

I am, Sir,

Your obedient Servant,

LAVINGTON ROOPE.

W. R. FALCONER, *Esq.*, *Director of Public Works.*

[* £244 price paid by Mr. Roope.]

Cornelian Bay, 25th October, 1866.

SIR,

IN reply to your Memorandum of the 19th instant, informing me that you had been "instructed by the Government to ascertain the lowest price I am prepared to take for the under-mentioned land; viz.—Lot 7, 4 acres 1 rood 38 perches; Lot 8, 4 acres 1 rood 16 perches, situate at Cornelian Bay, in the event of its being required for a Public Cemetery," I have the honor to inform you that I am not in a position to answer your communication unless I receive more explicit information.

I may say that I have had the land three years, and have made considerable improvements in that period. The land is now under crop, and there are various considerations to be looked to before answering your letter.

It is not merely the price of the land that is to be considered, but it is my home, and if I have to give it up, of course compensation would have to be awarded.

I shall, however, be glad to hear further from you, for at present it is impossible to give you a satisfactory answer.

I am, Sir,

Your obedient Servant,

JOHN BROWN.

The Director of Public Works.

Cornelian Bay, New Town, 2nd November, 1866.

SIR,

IN reply to your letter of the 31st ultimo, asking me to state the lowest price I am disposed to take for the land held by me at Cornelian Bay, which is required for a Public Cemetery, I beg to inform you that £1200 is the amount I name; and I may add that the sum mentioned will not compensate me for the loss of the land in question, which in my particular business I cannot possibly regain.

I have the honor to be,

Sir,

Your most obedient Servant,

JOHN BROWN.

The Director of Public Works.

Hobart Town, Office at Mr. Richard Willing's, Elizabeth-street,
23rd October, 1866.

DEAR SIR,

IN reply to your letter of 19th October, addressed to W. Willing, we have to state that our position with regard to land at Cornelian Bay is that of Mortgagees, that the name of the party we hold the security from is Mr. John Brown, who occupies the premises; and further that, in the event of the Government purchasing from Mr. Brown, we will receive the Mortgage money at any time.

We remain, dear Sir,

Your obedient Servants,

For the Trustees of the Estate of the late William Lindsay, Argyle-street,

WM. WILLING.

W. R. FALCONER, *Esq.*, *Director of Public Works.*

Hobart Town, 2nd November, 1866.

SIR,

IN reply to yours of 31st October, requesting me to state the price I would be willing to take for an allotment of land at Cornelian Bay, containing upwards of 4 acres, I will sell the land to the Government for £500 (Five hundred Pounds). The ground is well fenced, and a good part of it trenched 18 inches deep, and there is a stone building, with slated roof, erected thereon.

The crop to be taken at a valuation.

I am, Sir,
Yours obediently,

H. JAS. MARSH.

The Director of Public Works.

36, Macquarie-street, 20th October, 1866.

SIR,

IN answer to yours of yesterday's date, I beg to inform you that I am willing to sell the land alluded to to the Government for the same amount as actually paid by me to the Government for it, without interest; namely,—Seven hundred and sixty-four Pounds Ten Shillings (£764 10s.).

I am, Sir,
Yours obediently,
FRANCIS BUTLER.

W. R. FALCONER, *Esq.*, *Director of Public Works.*

94, Davey-street, 1st November, 1866.

SIR,

IN reply to your letters of the 19th and 31st ultimo, I beg to refer you to my letter dated 7th June, 1865, and have to repeat that I am disposed to abide by my offer made at that time; viz.—the Government can have the land back again at the same price at which it was sold to Mr. T. D. Chapman.*

I have the honor to be,
Sir,
Your obedient Servant,
JOHN FOSTER.

W. R. FALCONER, *Esq.*, *Director of Public Works.*

* Cornelian Bay, Lot 14, £255 4s.; Lot 15, £232 2s.; Lot 16, £231—Total, £718 6s.

Hobart Town, 24th October, 1866.

SIR,

IN reply to your letter dated 19th instant, as to what I would take for the allotment of land at Cornelian Bay, I am willing to dispose of the allotment for the sum of £200 (Two hundred Pounds), payable either in cash or in Debentures. The sum of £184 was paid for the land at the time of sale; the fencing cost about £20.

I remain,
Your obedient Servant,
JOHN PERKINS.

W. R. FALCONER, *Esq.*, *Director of Public Works.*

George-street, New Wharf, 5th November, 1866.

SIR,

IN reply to your letter requiring to know the lowest price I am prepared to take for my allotment of land at Cornelian Bay, I hope I may be allowed to inform you that I purchased it with the intention of forming a garden there as soon as I could let my property down the river, which arrangement for years I was unable to effect until very recently; but as I am informed the Cemetery Act compels its sale to the Government, I beg to add that I am not disposed to let it go.

unless I am repaid the amounts in full I have paid for it from time to time, and the sum I have paid for fencing, amounting to the sum of £300, by which I lose the interest of the money for many years.

I consider that this land should not be classed in point of value with the other allotments at Cornelian Bay, inasmuch as it has been considered the best for building and gardening purposes, fronting the beautiful beach where the public jetty must be hereafter built, and having a sloping bank leading to the high ground up which I have seen carriages driven, and the land in the front and rear being of a superior quality,—in fact I had made up my mind at its sale not to bid for any other than the one in question, which I had repeatedly examined.

I have the honor to be,
Sir,

Your most obedient Servant

JOHN ABBOTT.

W. R. FALCONER, *Esq.*, *Director of Public Works.*

Hobart Town, 22nd October, 1866.

SIR,

IN answer to yours of the 19th instant, I beg leave to state that One thousand five hundred and fifty Pounds sterling (£1550), for premises and land owned and occupied by me at Cornelian Bay, is as near their cost as I am able to calculate, and £1550 sterling is the price I ask.

Yours most respectfully,

P. OLDHAM.

W. R. FALCONER, *Esq.*, *Director of Public Works.*

42, Macquarie-street, 31st October, 1866.

SIR,

IN reply to yours of this day, I beg to offer my land, *3a. 2r. 33p.*, at Cornelian Bay for the sum of £235 12s. This sum comprises the amount I paid for it, and the expense incurred in fencing it in.

In the offer thus made I have not charged interest on my outlay.

I have the honor to be,
Sir,

Your obedient Servant,

J. W. WOOLLEY.

W. R. FALCONER, *Esq.*, *Director of Public Works.*

Office of Public Works, Hobart Town, 2nd November, 1866.

SIR,

I WILL feel much obliged by your informing me, not later than to-morrow, the lowest price you are prepared to take for Lot 10, containing 4 acres, at Cornelian Bay, in the event of its being required for a Public Cemetery.

Owing to the name appearing as "Richard Butler" on the Chart, I was not aware until to-day of the proper ownership.

I am, Sir,

Your obedient Servant,

W. R. FALCONER, *Director of Public Works.*

Mr. RICHARD BUTTERS, Cornelian Bay.

SIR,

I HAVE answered your application to inform you of my property of land of No. Lot 10, situated at Cornelian Bay, now my property; and to inform the Authorities of the Government that the property was purchased by me for the express purpose of making a home for my wife and family, and since the purchase I have been at a very great expense. I have no desire to part with the property unless the Government will make and offer a reward for the conditions I shall answer.

RICHARD BUTTERS.

Hobart Town, September, 1866.

SIR,

By the Resolution of Parliament under date 27th September, 1865, the sum of £3000 was voted towards the establishment of a Public Cemetery. This sum the Trustees appointed under the Cemeteries Act find, however, will be far from sufficient to cover the expenses connected with the purchase of the land at Cornelian Bay, which they have fixed upon as the most eligible site, and which has also received the approval of the Governor in Council.

It is calculated that about £3000 additional will be required, and I am desired by the Trustees to enquire whether that sum will be placed at their disposal.

I should deem it a favour to be furnished with an early reply, as until the decision of the Government is received the notices, which are now ready, cannot be served on the several proprietors of the land required.

I have the honor to be,

Sir,

Your obedient Servant,

R. OFFICER, *Chairman.*

The Hon. the Colonial Secretary.

Colonial Secretary's Office, 23rd November, 1866.

SIR,

IN reply to your letter dated September, 1866, informing me that in order to effect the purchase of the land which has been selected as the site for the Public Cemetery at Cornelian Point it would require about £3000 in addition to the sum already voted by Parliament for the establishment of the Public Cemetery, I have to inform you that, as Parliament is now in Session, the Government could not undertake the responsibility of sanctioning so large an extension of the amount voted for this purpose without bringing the matter again before Parliament, which it is proposed shall be done during the Session.

I have the honor to be,

Sir,

Your very obedient Servant,

JAMES WHYTE.

*The Hon. ROBERT OFFICER, Esq., M.H.A.,
Chairman, Hobart Town Public Cemetery Trustees.*

Hobart Town, 17th January, 1867.

SIR,

I AM instructed by the Cemetery Trustees to call your attention to my letter of September last, and the Colonial Secretary's reply thereto, dated 23rd November, relative to the funds which are required to enable them to proceed with the important work which has been entrusted to them by the Government.

The delay that has already taken place in furnishing them with the necessary funds has been a source of much regret to the Trustees; and as the work is one which is urgently required on account of the public health, and can never become a burden on the General Revenue, but must necessarily be reproductive and self-supporting, they trust the Government will have no hesitation in taking immediate measures for raising the sum required for the purchase of the land at Cornelian Bay, and the laying out and planting of the grounds, which they are of opinion will not exceed £8000.

The Commissioners have desired me respectfully to suggest that the money might be raised by the issue of special Cemetery Debentures, like those issued by the Hobart Town Corporation for the erection of the City Waterworks, or that the money might be raised directly by the Government and advanced to the Trustees, on terms similar to those on which the amount required for the construction of the Bridge at Bridgewater was lent to the Commissioners for that work.

The Trustees wish me to add that they continue to entertain the unanimous opinion that there is no other piece of ground in the vicinity of Hobart Town comparable to the land at Cornelian Bay as the site of a Public Cemetery.

I have the honor to be,
Sir,

Your very obedient Servant,
R. OFFICER, *Chairman.*

The Hon. the Colonial Secretary.

Colonial Secretary's Office, 21st January, 1867.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 17th instant, relative to the funds required for the purchase of the land at Cornelian Bay, which has been selected by the Trustees as the most eligible site of a Public Cemetery, and in reply to inform you that the subject will receive the early attention of the Government.

I have, &c.,

(Signed) RICHARD DRY.

The Hon. R. OFFICER, Esq., M.H.A., Speaker.
