

(No. 53.)



1892.

PARLIAMENT OF TASMANIA.

LANDS' TITLES:

REPORT OF RECORDER FOR 1891.

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



Lands' Titles Office, Hobart, 25th March, 1892.

SIR,

I HAVE the honor to submit for your consideration the Annual Report on the working of this Department for the year ending 31st December, 1891, with the usual Returns annexed of the transactions registered during that period.

The receipts for the year amounted to £3303 11s. 3d., while the expenditure on all accounts was £2883 16s. 1d., or £127 13s. 11d. less than the amount provided on the Estimates for the maintenance of the Department.

The Fees received for the month of July last were £372 19s., the highest total for any one month reached since this Office has been open for the transaction of business, but the earnings for the year, although leaving a surplus to profit of £419 15s. 2d., did not reach so high a total as that of the previous year. The decrease in business was principally in Transfers and Mortgages, while the number of applications in the first instance to bring land under the provisions of Torrens' system by obtaining Titles under the Real Property Act showed an increase from 76 in 1890 for land valued at £72,851 to 101 in 1891 for land valued at £90,687.

A new Lexicographical Index to all the transactions registered under the said Act has been completed, and is found to facilitate "searching" and to be of great assistance to the Indexing Officer.

The Assurance Fund on 31st December last amounted to £8816 2s. 2d., and so far no claim has been made upon it. This is of course satisfactory, but as such claims have arisen and have had to be met in the other Colonies so they may arise here. It is therefore necessary that this Fund should be carefully nursed so that it may be adequate to meet any such claims without resort to the General Revenue. The present Lord Chancellor of Great Britain thinks very highly of these Assurance Funds, and has obtained information from all the British Colonies (including Tasmania) where "Torrens' system" of conveyancing obtains with reference to them, and he subsequently embodied the principle in his Transfer of Land Bill which was introduced into the British Parliament to carry out an almost compulsory initiation of that system into England, but which his Government withdrew at a subsequent stage because Committee were cutting down the compulsory clauses so much. There can be no doubt however that the Bill will be reintroduced, and that the Assurance Fund will be again one of its prominent features.

During the occasion of a visit to Victoria last year I availed myself of the opportunity to spend several days at the Transfer of Land Department. Every facility was offered me by the Commissioner of Titles and his officers for the thorough inspection of his Department which numbers a staff of 150 officers. The results of such inspection have been utilised to some extent to the advantage of this Office, but of course there is much in the Victorian Office which is not applicable here on account of the local Department being relatively so much smaller.

A "Guide for computation of Fees and Stamp Duty" in connection with this office has been compiled by Mr. R. F. Young, the Accountant of the Department, and is for sale at the moderate price of 3s. This will be found to be a handy and reliable *vade mecum* to those having business to transact under the Real Property Act, and a considerable number of copies have been sold already.

I think it is my duty to bring under your notice that the Strong-room accommodation of this office is very limited and that in a few years the room on the same flat—and which is used for the Records which are in daily use and which must be readily available—will be full. From its situation it cannot be enlarged without expense being incurred out of all proportion to the accommodation

which can be supplied. Taking this into consideration, and also the fact that the offices of a department like this with which the public and legal profession come so much in contact should have a basement or first-floor situation, I trust that in any future scheme for the extension of old or erection of new public offices the claims of this department will be deemed worthy of favourable consideration. If the offices were situated on a ground floor a large Strong-room like the Registry of Deeds should be provided and so fitted that all the work in connection with the Register Books might be performed in it. This would economise space and save much of the wear and tear which arises from the constant carrying of these large books from room to room. If new public buildings are to be erected at Lord's Corner there will be offices vacated by such departments as may be removed to the new site and which with some alterations might be more suitable for this department than its present offices. The Strong-room part of the question however is the one I lay most stress upon, and I think I am justified in doing so, for it involves the provision for the proper custody and preservation of the titles to 1,183,676 acres of land, which was the area held under the Real Property Act up to the end of last year and which is more than one-fourth of the alienated lands of the Colony. I may here mention that this area is of course ever increasing, and that therefore the question is one sufficiently important to enforce its own claims to consideration.

I have the honor to be,
Sir,

Your obedient Servant,

JAMES WHYTE, *Recorder of Titles.*

The Hon. the Attorney-General.

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

YEAR.	NO.	VALUE.	AREA.					
			Town and Suburbs.			Country.		
		£	A.	R.	P.	A.	R.	P.
1887.....	96	57,523	194	1	20	9026	1	16
1888.....	113	66,773	166	1	6	5774	3	14
1889.....	105	71,525	194	3	10	10,308	0	6
1890.....	76	72,851	93	2	1	4341	3	5
1891.....	101	90,687	244	1	31	7436	1	3
	491	359,359	893	1	28	36,887	1	4

No. 2.—*GRANTS registered.*

YEAR.	NO.	VALUE.	AREA.					
			Town and Suburbs.			Country.		
		£	A.	R.	P.	A.	R.	P.
1887.....	529	55,433	616	3	39	43,326	0	27
1888.....	563	61,571	580	0	2	45,967	3	28
1889.....	502	37,415	3815	2	17	30,373	3	4
1890.....	523	38,270	659	0	0	27,076	1	0
1891.....	470	46,888	630	3	36	44,915	2	13
	2587	239,577	6302	2	14	191,659	2	32

No. 3.—*TRANSFERS.*

YEAR.	NO.	VALUE.	AREA.					
			Town and Suburbs.			Country.		
			A.	R.	P.	A.	R.	P.
1887.....	938	£ 170,989	877	3	16	42,772	2	22
1888.....	1076	211,327	1172	0	28	47,006	1	22
1889.....	1028	230,119	784	3	36	82,362	1	15
1890.....	1106	276,513	1037	0	12	67,553	3	33
1891.....	967	217,955	1209	2	38	49,260	2	29
	5165	1,106,903	5081	3	10	288,956	0	1

No. 4.—*MORTGAGES registered.*

YEAR.	NO.	VALUE.	AREA.					
			Town and Suburbs.			Country.		
			A.	R.	P.	A.	R.	P.
1887.....	772	£ 345,031	1187	1	22	99,128	3	8
1888.....	918	373,318	1172	0	28	96,066	2	35
1889.....	826	377,681	623	0	10	54,806	2	1
1890.....	913	332,824	1483	1	31	93,640	1	37
1891.....	790	429,559	823	3	9	102,465	2	34
	4219	1,858,413	5289	3	20	436,108	0	35

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.				A.	R.	P.	A.	R.	P.
1887.....	286	£ 91,758	2140	3	35	27,404	1	36	1887.....	19	6158	49	1	33	4594	1	13
1888.....	363	223,482	445	1	18	33,439	0	11	1888.....	15	7607	2608	3	2	622	1	28
1889.....	351	100,961	1006	0	17	25,993	3	15	1889.....	28	9945	35	2	39	12,152	0	27
1890.....	423	184,527	817	1	12	41,532	2	29	1890.....	22	4866	56	3	8	2066	1	23
1891.....	412	159,548	92	1	0	28,910	1	4	1891.....	33	20,543	58	0	15	11,833	0	30
	1835	765,276	4502	0	2	162,280	1	15		117	49,119	2808	3	17	31,268	2	1

No. 6.—*LEASES.*

YEAR.	NO.	VALUE PER ANNUM.	AREA.					
			Town and Suburbs.			Country.		
			A.	R.	P.	A.	R.	P.
1887.....	31	£ 4216	48	0	29	10,421	2	26
1888.....	51	22,510	569	2	1	11,967	3	8
1889.....	34	3477	32	3	35	10,185	0	33
1890.....	37	4356	4	1	1	19,584	2	8
1891.....	28	7819	5	2	1	38,211	3	11
	181	42,378	660	1	27	90,371	0	6

No. 7.—*APPLICATIONS on Death of Registered Proprietor.*

YEAR.	NO.	VALUE.	AREA.					
			Town and Suburbs.			Country.		
			A.	R.	P.	A.	R.	P.
1887.....	61	£ 55,816	192	0	18	28,055	3	3
1888.....	57	36,707	1312	1	21	10,917	0	24
1889.....	84	55,119	237	0	29	20,621	1	19
1890.....	88	60,953	300	1	29	13,957	1	22
1891.....	70	31,395	250	1	26	9230	2	1
	360	239,990	2292	2	3	82,782	0	29

No. 8.—*OTHER Transactions mentioned in Statistics.*

	1886.	1887.	1888.	1889.	1890.	1891.
Mortgages partially discharged.....	23	41	43	26	...	66
Powers of Attorney.....	13	28	40	31	25	34
Surrenders of Lease.....	4	6	7	...	5	11
Transfers of Lease.....	8	14	12	2	2	9
Transmission by Death or Bankruptcy.....	38	58	49	58	34	69
Foreclosure Orders.....	...	1	...	1	...	1
Encumbrances.....	1	3	...	...	1	7
Orders of Supreme Court.....	4	2	7	...	1	2
Provisional Certificates of Title.....	2	...	...	4	1	3
Writs of <i>Fi. Fa.</i> and Warrants of Execution.....	4	3	6	2	8	8
Registration Abstract.....	...	...	...	...	...	...
Office Copies.....	...	...	...	...	...	9
Entries of Marriage of Proprietor.....	4	7	6	7	11	8
Entry of Death of Annuitant.....	...	...	...	1	...	...
Estate in Remainder.....	1	3	...	...	...	3
Re-entry by Lessor.....	...	...	1	...	1	...
Discharges of Encumbrance.....	...	...	...	...	...	2
Surrender to the Crown.....	1	...	...	...	...	...
Discharges of Annuity.....	...	2	2	1	2	1
Extensions of Mortgage.....	...	7	2	2	...	2
Certificates of Title by Endorsement.....	...	...	...	...	...	259
Entry of Encumbrance.....	...	...	1	...	...	...
Certificates of Title in duplicate.....	...	...	...	...	1168	982