

(No. 75.)



1880.

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T A S M A N I A.

LEGISLATIVE COUNCIL.

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**REAL PROPERTY ACT:**

REPORT OF RECORDER OF TITLES TO JUNE 30, 1880.

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Laid upon the Table by Mr. Moore, and ordered by the Council to be printed,  
October 1, 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 of England 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	1
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.						NO.	VALUE.
			Town and Suburbs.			Country.				
		£	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.														
			Town and Suburbs.			Country.											
		£	A.	R.	P.	A.	R.	P.	YEAR.	NO.	VALUE.	AREA.					
			A.	R.	P.	A.	R.	P.			£	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	23	0	16	7584	3	11	1880....	8	4800	2	3	5	461	2	37
first 6 mos.	1059	400,519	1008	0	39	160,675	0	1	first 6 mos.	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