

(No. 84.)



1862.

---

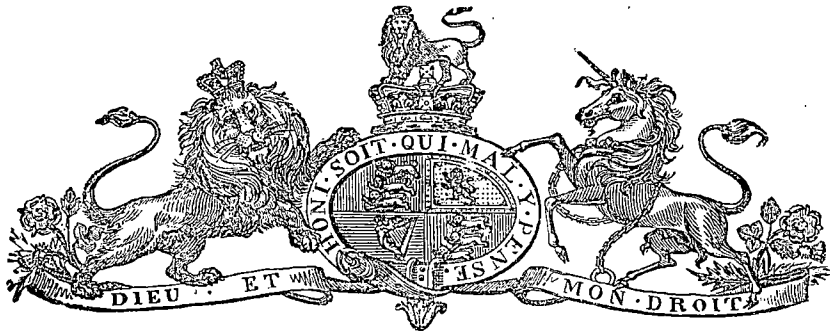
TASMANIA.

---

Q U I T R E N T S.

---

Presented by Mr. Colonial Treasurer, and ordered to be printed, 5 September, 1862.



Hobart Town, 19th July, 1862.

SIR,

SEVERAL cases having come under my notice since my appointment as Recorder of Titles, affording strong grounds for the belief that the present state of the Quit Rent system is generally unsatisfactory, and especially calculated to form a most serious impediment to the adoption of "The Real Property Act," I consider it my duty to bring the whole subject before the Government, with a view to its early revision.

Whatever may be said of the justice of these Rents, or of the policy which originally dictated them, it is certain that difficulties as to their collection soon arose, and that, after the lapse of some years, they were felt by the Locatees to be a troublesome and serious tax. The Government of the day was either unwilling or unable to adopt active measures to enforce them, and, as a natural consequence, they ceased, in the great majority of cases, to be paid. The holders of old Grants and Location Orders, unable to obtain their absolute Grants until their arrears of Quit Rent were discharged, declined to pay the heavy amounts demanded of them, and were forced to rely upon the defective titles they possessed; and thus a large amount of land, although not legally alienated from the Crown, has been up to the present day held, sold, resold, and, in short, dealt with in every possible manner by numbers of successive occupants. The objections of this state of things at last pressed themselves on the attention of the Government; and, on the 18th of April, 1844, an Order was issued in the *Gazette* in the following terms:—

"The Lieutenant-Governor has had before him, for consideration, the circumstances under which the existing arrears of Quit Rents, usually charged when Grant Deeds are issued, have accrued, and His Excellency has arrived at the conclusion that they ought no longer to be enforced against applicants for Titles, more especially in the present depressed state of the agricultural interests of the Colony."

On the 17th July, 1847, a further Order was published by Sir W. Denison, which, after adverting to "the obstacles which had presented themselves to a general collection of the Quit Rents," "the delays which had taken place in the conversion of Locations into Grants in Fee," and "the varying and unequal character of the conditions attached to the several classes of Locations," proceeded to reduce the rates of Quit Rent to their present scale, and offered terms of redemption at 10 years' purchase.

From the subjoined Returns, which I have obtained from the Treasury, it would appear, however, that these offers failed to satisfy the parties interested. But few seem to have availed themselves of the proffered commutation; and, as no further attempt has since been made to settle the question, the relative positions of the occupants and the Crown remain unaltered. The present state of the case is therefore this,—The arrears which have accumulated since 1844, namely, 18 years' Quit Rent, added to the 10 years demanded for future redemption, amount now, in many cases, to the actual value of the land, and in all to a most serious per-centage. Except under rare and exceptional circumstances, when a Grant is urgently needed, it is perfectly hopeless to expect the Locatees to pay these large amounts voluntarily. The Government, on the other hand, even if it possesses the power of compelling payment, dare not exercise it, and at present exerts a mere passive species of coercion, which, whilst it produces but little Revenue, has the mischievous effect of debarring all who have not liquidated these now obsolete claims from obtaining a Free Grant or from bringing their lands under the operation of "The Real Property Act." I would therefore submit that the time has arrived for a revision and relaxation of these demands. I am convinced that, if liberal terms were offered, that occupants would be induced to come in to take out their Grants; and I am strongly of opinion that, so far from suffering, the Revenue would reap considerable advantage, and the Public Chest would receive considerable sums which would never otherwise be paid into it. What those terms should be it is not for me to determine; but, in order to place some definite proposal before the Government, I would beg to recommend,—

*First.*—That all arrears of Quit Rent, Fines, &c., now due shall be remitted; and,

*Secondly.*—That 5 years' payment of the present Rents shall, at any time hereafter, be received as a discharge in full, and entitle the occupant to a Grant in Fee Simple.

I have the honor to be,  
Sir,

Your obedient Servant,

W. TARLETON, *Recorder of Titles.*

*The Hon. the Premier.*