

REPORT

OF

THE REGISTRAR-GENERAL OF LAND,

FOR THE YEAR ENDING 30TH JUNE, 1872.

PRESENTED TO BOTH HOUSES OF THE GENERAL ASSEMBLY, BY COMMAND OF
HIS EXCELLENCY.

WELLINGTON.

—
1872.

REPORT OF THE REGISTRAR-GENERAL OF LAND.

Mr. MOORHOUSE to the Hon. W. GISBORNE.

Office of Registrar-General of Land, Wellington,
12th July, 1872.

SIR,—

I have the honor to state, in tabulated form, for your information, particulars of the business transacted in the Land Transfer Department during the past financial year.

The total vote for the year's expenditure was £8,614 15s. The total actual expenditure for the same period, including the cost of very extensive advertisements, has, by the exercise of a vigilant economy, been kept within the vote by about £500. The business done shows a return, in cash, of £4,539 17s. 11d. Credit, under the new Regulations, which came into operation on the 1st January, 1872, has been given for £266 10s., which two sums taken together amount to £4,806 7s. 11d., or £193 12s. 1d. below the estimate of revenue I had the honor to submit in my report of last year, and this, notwithstanding that regulations were, with the Governor's sanction, promulgated in January, which materially reduced the fees payable for registration.

During the year the Assurance Fund has been increased by £1,500 14s. 7d.; and credit has been given for a further sum of £152 17s.

Before proceeding with any further observations, I must perform the gratifying duty of expressing my very high opinion of the zeal which has been evinced by the District Land Registrars, Examiners, and other officers of the department, to whose exertions is to be attributed, in the first degree, the signal success which has attended the early working of this very useful institution.

This day will be published a "Handy Book," explanatory of the principles and uses of the system. In editing this work I have to confess the great obligation which is owing to Mr. Torrens, whose "Handy Book" I have adopted as the basis of a portion of the work. This little book contains a copious index to the Acts, with forms and explanatory remarks. Mr. Joshua Strange Williams, of Lincoln's Inn, District Land Registrar at Christchurch, was mainly concerned in the preparation of the "Handy Book;" and the Index was principally supplied by Mr. D'Arcy Haggitt, a member of the legal profession. For the learning and zeal evinced by the former gentleman, and other able lawyers in this department, and for the co-operation of members of the legal profession practising at the Bar, I ask your leave to express my thanks.

I may be permitted to offer my congratulations to the Government on the success which has attended their bold determination to diffuse, to the utmost extent, the advantages expected to flow from the operation of the Acts, by establishing ten district offices, notwithstanding there was no precedent to be found in the Australian Colonies for such a course. Experience quite justifies the original calculation, that the extraordinary expense attendant upon creating so many centres of operation would be a financial success, considered apart from the very substantial advantage which the public derives by such a facility for dealing with property being brought as it were to their very doors. A comparison of the rate of progress in New Zealand with that of kindred institutions in the other Australian Colonies, is remarkably in favour of New Zealand, and, in my humble opinion, may be referred to the fact that in each of the other colonies there exists only one central office.

Upon a full examination of such indications as I can gather, I estimate the receipts of next year at £8,500; and in consequence of this exceptionally material increase, I advise that you ask the Legislature for a small increase on the amount voted last year, because it is of the last importance that no arrears whatever should exist as a justification of the adverse comments of any unfriendly element in the community.

During the past year I experienced considerable anxiety in consequence of rumors respecting the arrears of business in particular districts, but personal inspection immediately satisfied me that in no case complained of was any fault or negligence to be justly charged against the officers of the department; but generally, the delay which had been the subject of current gossip, was to be accounted for by the presence of a very natural difficulty, not the creation of the Land Transfer Department.

I have felt it my duty to ask the Government to make some slight additions to the salaries of several of the professional gentlemen who gave their zealous services at very low salaries, on the distinct understanding that, upon proof of their energy in popularizing the system, and the consequent increase of business, Government would recognize their zeal by paying a salary more adequate to the service rendered, and more fully admitting their special professional claim.

As a whole, it would be difficult to find anywhere a parallel for the almost parsimonious scale of salaries paid to the professional men engaged in this service. Before dismissing this part of the subject, common justice demands that I should report my high opinion of the exemplary and valuable services of Mr. McIntyre, whose special professional knowledge and former experience in an adjoining colony have been, in no small degree, a cause of the great success which has attended this branch of your administration.

Last year I addressed you in strong terms on the subject of the very unsatisfactory condition of the public surveys, and, in substance, expressed an opinion, which has become more confirmed by subsequent experience, that it most materially concerns not only the safe working of the Land Transfer system, but the social welfare of the whole Colony and the credit of its Government, that the Legislature should, without further delay, arrest the progress of the immeasurable evil which is daily growing out of the sham system of public surveys, so long the disgrace of the Colony. Representations on this subject have been made from the Crown Lands Department, and I believe other sources; and it may be stated with the authority of truth, that in the minds of all specially informed men there exists no doubt of the necessity for an immediate reform in the matter of public surveys. The record maps which are necessary for public use in this department are, as to some parts of the Colony, entirely wanting, and in other instances, what purport to be record maps are simply an illusion. Whatever sacrifice of present means may be required for the remedy, I must be forgiven for stating that the emergent nature of the case demands that it should be made.

Within the limits of a document like this, it is impossible to state, in detail, the particular circumstances of the danger which now exists, or by argument to demonstrate the fact that the evil grows in a geometrical ratio with the delay in applying a cure. If necessary of particular demonstration, Parliament may easily procure it by calling for evidence; but it would occur to most ordinary observers, that the survey of the public and private estate of the Colony is a matter of the greatest consequence to social comfort, and that a defective survey must necessarily be the cause of social disorder and disquiet—the prolific source of distressing and wasteful litigation, to say nothing of the great damage that must some day be felt by the Public Treasury.

I am afraid that the general public have long been too much in the habit of disregarding the particular necessity for accurate surveys of the Native lands which are coming and must at law come under the Land Transfer Act, and the title to which, so materially dependent upon the soundness of the survey, is already guaranteed to a considerable extent by the Public Treasury.

The dilemma in which I consider the country stands may be stated thus:—

Recently, following an intelligent impulse, the Colony adopted the Torrens' system as a very great social advantage. One feature of that system is, that it invites popular acceptance by a guaranty of all titles effected under it. This guaranty by statute attaches the consolidated revenues. It is essential to a reduction of the risk under that guaranty to a minimum, that, among other things, and principally, the surveys of each estate should be scientifically correct. It is demonstrable that a very large proportion of all the estates in the country, public and private, are inaccurately surveyed, more or less. Notwithstanding all the vigilance of the lawyers and professional draftsmen in the department, under the present condition of the public surveys it is impossible to deny that an immeasurable risk of damage, referable to the imperfection of the surveys alone, exists. That this condition of things is reported to the public, who are consequently called upon to elect (in obedience to a logical deduction of interest from facts) between an abandonment of all the advantages of the Torrens' system, with its accompanying guaranty, or a rectification of the sham survey; the choice being between retrogression from useful reform, and the immediate expenditure of a comparatively small sum of money in the purchase of safety and business-like accuracy in the public surveys, which must be acknowledged as a principal basis of the social order and prosperity of any community.

DEEDS REGISTRY.

The estimated revenue from this department for the last year was £15,000, and the revenue actually received, £14,789 8s. 6d.

The extraordinary expense attendant upon removing the furniture and records into new offices in different parts of the Colony, and the cost of building a fire-proof strong-room in Auckland, have caused the vote to be exceeded by a small amount.

I have no special remark to make with reference to this department, beyond stating my opinion that it is in a very efficient condition, and that the gentlemen employed in this branch of the service have performed their duties to my entire satisfaction. I anticipate a material decrease in the revenue of the department for the ensuing year, and therefore only estimate the revenue at £13,500. The ordinary expenditure I cannot see my way to reducing to any appreciable extent. Having introduced the system of *ad valorem* payment in the clerical branch, the expenditure will be, in a great degree, proportionate to the revenue received.

I have, &c.,

W. S. MOORHOUSE,
Registrar-General of Land and Deeds.

STATEMENT of BUSINESS TRANSACTED under the LAND TRANSFER ACTS, for the YEAR ending 30th JUNE, 1872.

DISTRICT.	APPLICATIONS.				TRANSFERS.				MORTGAGES.				CROWN GRANTS.				Certificates issued.	Powers of Attorney.	Searches.	General Searches.	Caveats agst. dealings.	Maps deposited.	Instruments deposited.	Leases registered.	Encumbrances registd.
	No.	AREA.		Value.	No.	AREA.		Consideration Money.	No.	AREA.		Amount Secured.	No.	AREA.											
		Town and Suburban.	Country.			Town and Suburban.	Country.			Town and Suburban.	Country.			Town and Suburban.	Country.										
Auckland	285	230 0 207	23119 3 17	87812 0 0	46	38 2 327	10444 2 32	6544 2 6	50	42 1 262	5861 2 25	37601 18 6	37	1 2 33	13671 3 03	280 2 4	6	7	1	17	1				
Otago	577	777 0 291	84360 3 07	264620 5 0	145	82 1 204	10689 2 39	24618 0 8	147	91 0 119	38040 1 28	71485 1 6	519	544 3 1135	33488 2 39	719 1	71	2	7	1	8				
Canterbury	498	33 0 08	31884 0 115	201263 0 0	95	18 3 075	1662 3 20	10024 0 3	124	2 1 13	24361 3 21	82447 12 6	1	...	54 0 00	352	8	7	...	2	1	16			
Wellington	140	129 0 1385	7384 2 023	78837 19 0	53	149 3 125	25006 0 36	11094 15 0	40	37 1 185	25789 1 195	15144 10 0	7	34 3 00	...	116	...	13	1	...	3				
Nelson	105	63 3 21	8011 1 18	49353 0 0	4	0 2 35	151 0 00	240 10 0	48	27 3 37	2354 1 11	10719 0 0	24	4 1 16	711 1 03	82 1	62	12	...	...	...	...
Southland	145	38 3 38	14748 2 22	34102 1 3	16	3 2 21	1727 1 10	2759 10 0	26	4 3 30	6221 2 33	18295 0 0	38	2 3 28	2958 1 27	152	2	8	...	...	21				
Hawke's Bay	105	101 3 245	7929 2 085	21742 10 0	5	3 3 265	...	164 0 0	4	2 3 18	1356 0 00	1060 0 0	16	4 0 32	1270 0 00	81	...	2	...	...	2				
Taranaki	3	1 2 03	144 0 00	250 0 0	1	0 2 00	...	17 10 0	...	...	...	...	...	...	...	3	...	...	...	...	...
Westland	68	9 1 255	416 2 39	5258 10 0	12	0 3 02	172 0 00	803 16 0	3	0 1 00	220 0 00	410 0 0	...	...	...	57	2	...	...	...	...
Marlborough	7	2 2 24	126 0 02	1604 0 0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Total, 1871-72	1933	1387 3 0765	178125 2 073	739843 5 3	377	299 0 376	49853 3 17	56266 4 5	442	209 0 346	104205 1 175	237163 2 6	642	592 3 0035	52154 0 32	1842 4	14	171	15	7	10	2	65	3	
" 1870-71*	409	908 3 0035	32192 3 14	166331 5 0	25	33 0 2095	1313 1 13	7031 0 0	41	1 3 18	5761 2 00	23728 10 0	...	...	...	182 1	...	11	...	1	...	4			
...	2342	2356 2 08	210318 1 213	906174 10 3	402	332 1 1855	51167 0 30	63297 4 5	483	211 0 126	109966 3 175	260891 12 6	642	592 3 0035	52154 0 32	2024 5	14	182	15	7	11	2	69	3	

* The Land Transfer Act was brought into operation on 1st February, 1871.

