

Queensland



Parliamentary Debates
[Hansard]

Legislative Council

WEDNESDAY, 16 AUGUST 1882

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LEGISLATIVE COUNCIL.*Wednesday, 16 August, 1882.*

Savings Bank Bill.—Corrected Titles to Land Bill—committee.—Sale to Local Authorities Land Bill—third reading.

The PRESIDENT took the chair at 4 o'clock.

SAVINGS BANK BILL.

The PRESIDENT announced a message from the Legislative Assembly intimating that they had agreed to the amendment made by the Legislative Council in the Bill to amend the Savings Bank Act of 1872.

CORRECTED TITLES TO LAND BILL—COMMITTEE.

On the motion of the POSTMASTER-GENERAL (the Hon. B. D. Morehead), the President left the chair, and the House resolved itself into a Committee of the Whole to consider the Bill in detail.

Preamble postponed.

Clauses 1—"Grantee may surrender to the Crown and obtain a new title"; and 2—"Correction of erroneous descriptions in deeds of grant";—put and passed.

On clause 3—"Land to be brought under Real Property Act of 1861 before new deed issues"—

The Hon. P. MACPHERSON said he had a formal amendment to make to the clause, by inserting after the word "with," in the 14th line, the words—"and whenever any land shall have been surrendered under the provisions of this Act the Registrar-General shall record such surrender in the register book." The object of the amendment was that the Registrar-General might nullify the previous registration of the original grant. By the provisions of the Real Property Act of 1861, section 32, it was the duty of the Registrar-General to keep a registry book in which he recorded the duplicates to all grants issued; and it was only proper that that amend-

ment should be made so as to authorise him to give effect to the issue of the new grant in addition to registering a copy of the new grant.

The Hon. F. T. GREGORY said he considered the amendment a very necessary one. He alluded to it on the previous day, inasmuch as he pointed out to the House when discussing the measure that the lands would be absolutely surrendered, and all the previous history of the ownership would be cancelled, and the new deed would commence *de novo*. The object was then explained by more than one hon. member, by showing that there were frequently discrepancies between the old description of the boundaries of the land and those which would come out. The amendment would make it perfectly clear that the Registrar-General would practically close all previous transactions with regard to that portion of country, and the new deed would be a clear title without reference to the previous errors; in fact, it would be a new Crown grant instead of a certificate of title.

The POSTMASTER-GENERAL said there was no intention on his part to oppose the amendment.

Amendment agreed to.

Clauses 4—"Mortgage or incumbrance to be endorsed by Registrar-General on new grant without fee"; and 5—"Right of resuming an equal area to that of closed roads";—put and passed.

Question—That the preamble stand part of the Bill—put.

The Hon. J. TAYLOR said he should like to know when the Act would come into force.

The POSTMASTER-GENERAL: On the day of its receiving the Royal assent—the assent of the Governor.

Question put and passed.

The House resumed, and the CHAIRMAN reported the Bill with an amendment.

The report was adopted, and the third reading of the Bill made an Order of the Day for Tuesday next.

SALE TO LOCAL AUTHORITIES LAND BILL—THIRD READING.

On the motion of the POSTMASTER-GENERAL, this Bill was read a third time, passed, and ordered to be returned to the Legislative Assembly with the usual message.

The House adjourned at a quarter past 4 o'clock.