

... position along the line of jobs of which there was a concentration of the great material. This concentration also led to the discovery of other bodies of ore in the great field. The methods of using and using up the ore, as well as the geological scheme could give no more than indications, which could be followed up only by prospecting by means of the geological instruments which had influenced the instruments employed. The right one to be considered was the right method to employ for any particular area, the preparation of a geological map of the region, the right instrument to be used, and the right method of using it. This instrumentally. Personally, he was much impressed by the idea, and he would like to have some contact with the author. He thought, so as to choose the best and then carry out a drilling campaign which would reveal or disprove the existence of ore bodies.

ADV. 24.6.27
PASTORAL RESEARCH.

Among the many important problems, economic and other, affecting the prosperity of the pastoral interests of Australia, the Graziers' Convention held in Adelaide this week has given attention to none than which it is more desirable to solve than that of the best methods of carrying out a practical scheme of pastoral research. The Convention has expressed its opinion that this would be of inestimable value to the industry of sheep and cattle breeding in Australia, and accordingly it is asking the Wool-growers' Council to discuss the question with the Wool-selling Brokers' Council, with a view to the making of mutual arrangements for scientific investigation. The whole community is taken in by any measures that may be concerned in the area and increase the productivity of our wool export enterprise. The total value of our wool export in 1924-25 was no less than 323,263,145, and it is to be said that the pig of an Irish cottager was "the gentleman who paid the tint," so it may fairly be claimed that the wealth derived from our flocks and herds is one of the very greatest factors in supporting our population and enabling it to obtain vast amounts of capital from overseas for the development of Australian resources. Just and liberal legislation, fully recognizing the special conditions and requirements of the pastoral industry, is necessary for its progress, but it is a gratifying indication of the spirit of enterprise which has always distinguished the pioneers in the outback country generally when he says that to solve to neglect, no one would do it, and are in full and practical sympathy with the modern movement for the expansion of production by the application of scientific methods. Already the Commonwealth Department of Scientific and Industrial Research, with the aid of experts in the States, has initiated research along several promising lines, and Sir C. Graham Waddell speaks for the pastoralists generally when he says that they are ready to assist the Council in any manner possible. Scientific investigation and practical work, as he observes, should go on simultaneously. There is a point at which they will meet, and when they do, it is something to prove the starting point for "something big in the industry."

The interesting addresses of Professors T. Brailsford Robertson and A. H. Woodruff to members of the Graziers' Convention yesterday serve to illustrate both the necessity of pastoral research and what is now being done to meet it. We are accustomed to the idea of stimulating agricultural production by the use of fertilizers, but it is a newer conception that lands used for pastoral purposes may require a somewhat similar treatment. It is economically desirable, if practicable, to return to the soil certain valuable, or even essential, constituents that may be taken from it by vegetation, growth and incorporated in the bodies of animals subsequently exported or otherwise removed from the grazing lands. Under a system of intensive pastoral enterprise, as Professor Brailsford Robertson showed, an effort would be made by a union of scientific research with common sense to eliminate certain disabilities from which the rearing of live stock suffers. By making proper provision for nutrition, a flank at the end of effluents, and the cause of heavy losses to the pastoralist. The study of animal genetics, too, involves "unimagined possibilities" of gain from the improvement in breeds. Professor Brailsford Robertson is conducting on behalf of the Council of Scientific and Industrial Research an investigation, the object of which is to ascertain what mineral or nitrogenous deficiencies exist in the fodder plants of various parts of Australia, also the possible excess of certain mineral constituents; while at the Waite Institute Professor Richardson is engaged in a research as to fodder plants which will have a complementary effect and value. The scientists aim at the discovery of suitable groups of fodders which, grown together, would correct one another's deficiencies. By this means it might become possible in some instances to increase materially the carrying capacity of pastoral areas. Professor Woodruff, in his address, pointed out how little has been done in Australia so far to investigate the different species of parasites known to be responsible for destructive diseases among stock. The right method for their control and eradication. Here there is wide scope for valuable research, the results of which might prevent huge losses, but the cooperation of the pastoralists themselves is required in order that the work of investigation may be carried to a successful issue. Professor Woodruff gives them the assurance that the Council of Scientific and Industrial Research will "deliver the goods" if it is adequately supported.

NEWS 24.6.27

Dr. H. Haddon (formerly lecturer on economics at Adelaide University) has accepted the Chair of Economic History at Minnesota University (United States). Dr. Haddon has been an Australian University lecturer in Canada for the past two years.

essentials of which hold sway in the French Colonies, in Styria (folk-law), and in Asia (customary law).

The Vendor of South Australian Origin.
Mr. J. R. Innes, Chief Judicial Commissioner of the State of South Australia, in his work, published in Kuala Lumpur, in the registration of title in the Federated Malay States, points out that the South Australian Act of 1896, which gave to the title to land and to facilitate dealability thereat, and also secured indefeasibility except in certain cases specified in the Act. The Sale and Registration of Titles Act, 1901, in many respects, similar to this Act, in the Federated Malay States, provides also that it is intended to "protect the abovementioned objects."

Mr. J. F. Hogg, remarks in an introduction to the latest authoritative work upon the subject, that the Vendor of South Australian has the honor of being the originator of some of the Torrens system, that this book has for its author a South Australian (The Torrens System)." Dr. H. Haddon, M.M., LL.D., of the South Australian Law, is the author of the "Law of the Australian Commonwealth," and has also dealt with the statutes of Australia, New Zealand, and with the decisions of the High Court of Australia. The compilation of this work Dr. Kerr has done with the assistance of Dr. Stow, who, like Dr. Haddon, is a law officer of the highest rank. Doctor of Laws of the University of London, and is now the Honorary Professor of Law in the University of London. He is also the author of "The Law of the Australian Commonwealth," and "The Law of the Victorian Bar," and P. Flattery (of the Victorian Bar), and H. S. Baker (of the Tasmanian Bar). Mr. Flattery is also the author of a work on stamp and estate duties and on Conveyancing and Property Law in New South Wales.

NEWS 24.6.27

Dr. H. Haddon (formerly lecturer on economics at Adelaide University) has accepted the Chair of Economic History at Minnesota University (United States). Dr. Haddon has been an Australian University lecturer in Canada for the past two years.

ADV. 25.6.27
TITLES TO LAND.

The Torrens System.

"The Principles of the Australian Land Titles (Torrens) System." By Donald Kerr, M.M., LL.D., of the South Australian Law, and the Law of the Australian Commonwealth.

Described by an eminent English jurist, Sir Charles Fortescue-Bridgals, as the greatest legal invention of the age, probably very few South Australians realize what an immense harvest has sprung from the registration of land titles under the Torrens on the 4th June, 1857, at North Adelaide, when he introduced his measure for simplifying the titles to land. Today the system is in vogue in many parts of the world. It has been stated by one eminent writer that some system of lands titles registration, modeled on Sir Robert Peel's, was known in the Torrens measure, in force in not less than thirty-one jurisdictions or governmental units of the British Empire. A measure very similar, indeed, to the present law of South Australia contained in the Real Property Act, was also in force in not only each of the Australian States, but also in the Canadian provinces of Manitoba, Saskatchewan, and Alberta, and also in the North-West territories of Canada, and in Ontario, British Columbia, and Nova Scotia there is in vogue a modified Torrens system. Indeed, in the great part of the Empire (and London, as it is held by registered title under Acts drafted in the manner which obviously had before them the South Australian measure. Furthermore, not less than fifteen States of the United States of America, including such an important State as New York, have also taken up the Torrens system, and that measure is also in force in Hawaii and the Philippine Islands. Mr. Roberts, of the Melbourne University, in his work, "The History of Australian Land Settlement," has eloquently described the spread of the Torrens doctrine. He has said that the Torrens measure in England had and has proved a proper of modifications suitable for the native folk-titles of Fiji or the medieval tenures of the Caroline Islands (including the Kingdom of Tonga), and for the half-sections of the Canadian west. The records of the Algonquin plains and the communal tribes of the Pacific, and the various local customs, and the orange groves of California, also came into the consideration

of the Torrens measure. The author of the book, published in Kuala Lumpur, in the registration of title in the Federated Malay States, points out that the South Australian Act of 1896, which gave to the title to land and to facilitate dealability thereat, and also secured indefeasibility except in certain cases specified in the Act. The Sale and Registration of Titles Act, 1901, in many respects, similar to this Act, in the Federated Malay States, provides also that it is intended to "protect the abovementioned objects."

Mr. J. F. Hogg, remarks in an introduction to the latest authoritative work upon the subject, that the Vendor of South Australian has the honor of being the originator of some of the Torrens system, that this book has for its author a South Australian (The Torrens System)." Dr. Haddon, M.M., LL.D., of the South Australian Law, is the author of the "Law of the Australian Commonwealth," and has also dealt with the statutes of Australia, New Zealand, and with the decisions of the High Court of Australia. The compilation of this work Dr. Kerr has done with the assistance of Dr. Stow, who, like Dr. Haddon, is a law officer of the highest rank. Doctor of Laws of the University of London, and is now the Honorary Professor of Law in the University of London. He is also the author of "The Law of the Australian Commonwealth," and "The Law of the Victorian Bar," and P. Flattery (of the Victorian Bar), and H. S. Baker (of the Tasmanian Bar). Mr. Flattery is also the author of a work on stamp and estate duties and on Conveyancing and Property Law in New South Wales.

afford very clear proof that the Torrens system of law, the law of property, Australia is the method, a distinctive path, that of the Torrens system. The formidable task of some 1,700 pages that by the author in this work is a full and complete volume suggests that so far from the Torrens system eliminating the lawyer, as is so often claimed, it has done quite the reverse, the legal profession feared that the man of the long robe has had no reason why they might be any grudge against Torrens, and the fact of doing so, anything like that number of cases have been reported in England under the "old system" in the course of the past century, but controversy was to be expected as to the relations of the old law and the new. It is a study of the history of this book under review, which is printed Adelaide by the Hassell Press, that it is especially of interest to reconcile the principles applicable to the Torrens system. Mr. Hogg and the author both denounce the lack of uniformity of the statutes enacted in the Torrens system in the Commonwealth. There are six distinct statutes akin in principle, yet differing in detail, which in the Commonwealth could be achieved by a single measure between the States and the Dominion. The author points out in the preface that the policy of Torrens was that by bringing the law of the system would be beneficial. In New Zealand, in 1924, the legislature passed an Act which makes complete the possession of a Torrens title and that in the Dominion the system to be achieved a complete obliteration of the old system of conveyancing by deed.

Torrens Not a Plagiarist.

In the foreword to the book, Mr. Kerr refers to the fact that Torrens' name has long been a source of detraction, the one contemporary source of a charge of plagiarism on the score of the similarity of his measure with the report presented by the Commissioner on registration of title on May 14, 1857. The Torrens measure in South Australia of this system was not Torrens, but Dr. Hubbe, who wrote a pamphlet in his biographical sketch. Mr. Kerr points out that a biographical sketch of Torrens, and the author's work, but he states that he has very carefully examined the matter and has concluded that Torrens, having applied the principle, well known in the Torrens measure, of the application of the Torrens measure, and that Dr. Hubbe, who is the author of the book, has, however, that he can appreciate the assistance Torrens acknowledged in the Torrens measure, and his connection with Sir Charles Cooper (Chief Justice) and Mr. W. B. Gaxale, and Sir Richard Woodroffe at the time of the passing of the Torrens measure. Chief Justice, and Mr. H. Gaxale.

Fourty-five years should destroy his reputation. The assistance that he gave became the first Registrar-General, acquiring a political career for the purpose of the Torrens measure in the year 1858 and 1863 besides the adjoining colonies and had the pleasure of seeing his reform in the year 1853. He retired to England, and on his return to Australia, Government the municipal pension of £225 per annum as a reward for his services. In 1883 he retired to Adelaide. In 1883 he retired to Adelaide. In 1883 he retired to Adelaide.

... to accept Torrens' protest regarding the work of the whole of Mr. Kerr's work. "Perhaps dimly, and even a part subsequently, perceiving, as Latham says, "that the community of 'Torrens' is a 'pious' for whom they stood, were the title of a nation, with vast possibilities for future and present economic advancement, but they were not and was an essential factor. His primary objective was to rectify the Torrens system, and to start a starting point for the desired title. He had, he aimed to give the landholder a title, and to secure indefeasibility for those to whom the new statutory title should be so substituted."

Indefeasible Title.

The fundamental principle of the new mode of conveyancing inaugurated by the Torrens legislation, was that there was to be no interests in land should depend upon a registration, and not upon documents from hand to hand, as in England, but certificates of title is the point on which the vendors of the whole system turn. Under the English conveyance system the title deed is the product of the individual. Under the Torrens system the title deed is the product of the State, by the State. On each transfer the State certifies the title afresh, such certification being not only a condition of the title for value, as if it were a deed of land from the Crown, and does not in any other than interests registered thereon on behalf of the State. The indefeasibility of title is indefeasible, except in certain specified events, the chief among which are the following:

Dr. Kerr, in planning his book aimed at supplying the requirements alike of common men and students, and also of the lawyer, and of the layman, or advocate in the courts. The work is arranged under readily found back-type heading, and is so arranged as to be found that which is of immediate interest to him. To heads of financial institutions, to landowners, to landlords and tenants, and to mortgagees, the mortgage (the latter topic occupying no less than 125 pages of text), and the Torrens system, the sale of land, whilst auctioneers and real estate agents should find invaluable to them the very full and complete treatment of the purchase of registered land. To solicitors and licensed land brokers in South Australia has been made available for the first time the full summary of the requirements of their appropriate official distinguishing numbers) to actual transactions lodged in the Registrar-General's office, and the register book. In collecting these references Dr. Kerr had the advantage of the assistance of Mr. G. W. Wilson, formerly Registrar-General of South Australia, who spent a lifetime in the South Australian Land Titles Office.

Buyer Must Exercise Caution.

Torrens intended that the statutory instrument of transfer should combine the requirements of both the old and the new. Practical experience, however, has not resulted in the elimination of a preliminary investigation of the title, and the purchase of registered land. It is around a failure to satisfy the requirements of such a contract that much litigation has centred, but perhaps the most common cause of dispute is concerned with the apparently simple and sweeping declaration that the title of the registered proprietor to land should be indefeasible, except in the case of fraud, or subject only to the qualifications noted on the title deed. This litigation, however, leads to the fact that the Torrens system of the Torrens measure, it was not intended by the Torrens measure, "No one's misfortune is so much slighted by the courts as his who buys a thing in the reality and does not look into the title." In Australia, however, it is the very essence of the matter that a buyer of realty without notice of existing claims, and who has a certificate of title to the title at all, beyond what the Register Book shows to him, and all his inquiries suppose a forger, impersonating the owner, and thereby defrauding the buyer. A celebrated decision of the Privy Council shows that it is the buyer who must exercise caution, and not the consequences of the forger's fraud. Certification of the identity and capacity of the registered proprietor is still a duty cast upon the purchaser. This litigation, however, has led to a discussion of the indefeasibility of the registered title, and is dealt with in his discussion of the Torrens measure, and his conclusions will doubtless come to be of considerable authoritative announcements of the law.

A bibliography appended to the text of the book, shows the names of those who refer to the subject (either fully or in part), and it is somewhat surprising to find that they number 75. Never before, however, has any one so exhaustively treated the subject, and a list of the Torrens system. The very full index will aid the reader.

ADV. 25.6.27

The appointment of Dr. Haddon as lecturer on clinical diseases of children was confirmed at the meeting of the University Council on Friday.