

GLOSSARY

ALLOTMENT

A subdivision of a land section. Sizes varied, but each was identified by a number.¹

ASSIGNS

Another term for assignee ... “this agreement shall be binding upon the parties and their successors and assigns”.²

ASSIGNMENT

Allowing someone else to act on behalf of or in place of the original owner. This may occur because the person has transferred or sold their rights or appointed someone to act on their behalf.³

ATTORNMENT

Agreement: in sale of goods, the acknowledgement that goods are held on another’s behalf.⁴

CHAINS

A jointed measuring-line consisting of linked metal rods which in the imperial system was equivalent to 66 feet or 20.1168 metres.⁵

CLOSE

A parcel of land that is surrounded by a boundary of some kind such as a hedge or a fence.⁶

CONDITIONAL PURCHASE

A buyer was able to eventually become the owner of land as long as certain conditions, usually to do with payments and use and improvement of the land, were fulfilled.⁷

CROWN GRANT

Transfer of title from the government (or Crown) to the first other owner of a piece of property.⁸

CROWN GRANTEES

Persons who received Crown grants.⁹

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CROWN LAND

Land that has not yet been alienated (or transferred) from the Crown.¹⁰

DEEDS OF GRANT

The document showing that title had been transferred from the Crown to the first other owner.¹¹

DEMISED PREMISES

The property leased.¹²

DEPASTURING LICENCE

A licence granted to a pastoralist allowing the grazing of animals on Crown land for a specific time and after the payment of a fee.¹³

FREE SELECTION

The opportunity to select waste land anywhere in the state regardless of whether or not it had been surveyed.¹⁴

IMPROVEMENTS

Actions taken to make land more valuable by such means as clearing, fencing or cultivation.¹⁵

INDENTURE

A legal agreement, contract or document.

A deed or agreement executed in two or more copies with edges correspondingly indented as a means of identification.¹⁶

LAND DISTRICT

An area of Victoria consisting of several parishes and based on a large provincial centre. It was used for the local administration of policy and laws relating to lands.¹⁷

LEASE

A formal contract between parties allowing the use of land for a period of years for the payment of rent or other compensation.¹⁸

LICENCE TO OCCUPY

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Permission to occupy and use land for a limited period of time after the payment of a fee. Note that the noun was spelt as license for most of the 19th century including in the legislation.¹⁹

MESSUAGE(S)

A dwelling house with outbuildings and land assigned to its use.²⁰ This word is synonymous with dwelling-house; and a grant of a messuage with the appurtenances, will not only pass a house but all the buildings attached or belonging to it, as also its curtilage, garden and orchard, together with the close on which the house is built.²¹

MINIMUM UPSET PRICE

The minimum price that would be accepted by the Crown for the purchase of land. The actual price paid, especially at auction could be more, but was not allowed to be less.²²

PARISH

Each county in Victoria was divided into parishes which were smaller more local areas than the county.²³

PASTORAL RUN

The area of land licensed to be occupied and used by a pastoralist for the grazing of animals.²⁴

PERCHES

An area of measurement equal to 25.29 square metres or 30 ½ square yards.²⁵

PERMISSIVE OCCUPANCY

A form of land tenure held over Crown land authorising its occupation or use.²⁶

PERPETUAL LEASE

A lease giving tenants full security of tenure with no time limitations. The land had to be improved and the lessee paid rent, but this rent did not become part of the payments for outright purchase of the land.²⁷

PRE-EMPTIVE RIGHT

The right to be the first purchaser of land from the Crown. Usually refers to the rights of pastoralists to buy portions of pastoral runs.²⁸

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PRESENTS

The phrase these **presents** is used in any **legal** document to designate the instrument in which the phrase itself occurs. This word signifies the writing then actually made and spoken of.²⁹

PROCLAMATION GAZETTAL

The act of proclaiming in a gazette, from which time something becomes effective.³⁰

QUIT-RENT

A rent, typically a small one, paid by a freeholder or copyholder in lieu of services which might be required of them.³¹

RECONVEYANCE

A deed or '**reconveyance**' is a document issued by a mortgage holder indicating that the borrower is released from the mortgage debt and transfers the property title from the lender, also called the beneficiary, to the borrower, also called the trustor.³²

ROOD

A quarter of an acre.³³

SECTION

Each parish was originally divided into sections. The first sections were 640 acres (or one square mile). Identified by a letter or a number. A group of allotments.³⁴

SELECTION

The process where an individual (the selector) could peg out a block of land and then seek a licence to occupy the land and eventually lease and buy the land after survey. See also free selection.³⁵

TITLE

Legal ownership of land as shown by a document or deed.³⁶

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- ³² Investopedia, <https://www.investopedia.com/terms/d/deed-of-reconveyance.asp>, viewed 6 December 2017.
- ³³ Nelson, Philippa and Alves, Lesley, *Lands Guide: A guide to finding records of Crown land at Public Record Office Victoria*, Public Record Office Victoria, Melbourne, 2009, p. 376.
- ³⁴ Nelson, Philippa and Alves, Lesley, *Lands Guide: A guide to finding records of Crown land at Public Record Office Victoria*, Public Record Office Victoria, Melbourne, 2009, p. 376.
- ³⁵ Nelson, Philippa and Alves, Lesley, *Lands Guide: A guide to finding records of Crown land at Public Record Office Victoria*, Public Record Office Victoria, Melbourne, 2009, p. 376.
- ³⁶ Nelson, Philippa and Alves, Lesley, *Lands Guide: A guide to finding records of Crown land at Public Record Office Victoria*, Public Record Office Victoria, Melbourne, 2009, p. 376.