

*Pensioner Patrick
Neeson and Perth Town
Lot L74*

After a rather complicated and spirited ownership battle Perth Town Lot L74, a small block of land of 37 perches (approx. ¼ acre), situated in Mounts Bay Road was added to Kings Park reserve in May 1918 after more than forty years occupancy by Pensioner Patrick Neeson and his family

Originally In 1878 Pensioner Patrick Neeson was given permission to occupy the land as a tenant-at-will. This rather unusual arrangement was settled upon by Sir Malcolm Fraser as he had visions of cutting into the face of Mt Eliza and reclaiming the foreshore. It was never his intention that Patrick Neeson would be granted fee simple as he was eligible to claim a pensioner allotment elsewhere but for some reason he accepted this offer quite happily.

Patrick erected a small hut and established a garden, his wife, Maria, being a laundress used the area for drying the laundry, they and their family of five children lived there reliant on the proceeds of the laundry and the produce from the garden to bolster Patricks meagre pension

of 1/- ½ per day until the death of Patrick on 21 May 1881 and Maria on 2 March 1890.

After his parents death their son James wrote to the Under Secretary asking that he be allowed to occupy the house and land formerly occupied by his parents. In May of 1890 the police conducted an inquiry into the residents of Lot 74 and reported that James, a carpenter, a private in the Volunteers and the only son of pensioner Neeson was living there with his unmarried sister Mary. His married sister was a temporary resident. His Excellency approved the application for James to occupy the land as a tenant-at-will for the Crown. The rent was set at five pounds a year subject to a notice to quit of 3 months without any compensation for any improvements.

Shortly after on August 8, 1890 James Neeson wrote to the Commissioner of Crown land requesting the transfer of the tenant-at-will agreement to his sister Ann Shaw which was granted on 13th August 1890.

On the 18 July 1899 The Under Secretary for Lands visited Perth Town Lot L74 with a view to increasing the rent and reported that the occupier was a Mrs Ann Shaw a widow with five young children the eldest aged seventeen years and the youngest five years of age. She

stated she had lived on the block for thirty years and since her husband's death six months previously has solely depended on the Tea Gardens as a source of income and is unable to pay a higher rent.

Doing a survey of the grounds he reported that there was a dilapidated shanty made of packing cases amongst the banana trees, an eight foot well, a weather board house and shop and a sitting room which Mrs Shaw said her husband had erected at a cost of twenty five pounds. There was also an old shed and a fowl house of little or no value. In view of the condition of the holding he considered it would be a hardship on the old lady to increase the rent.

On 10 July 1900 Ann Shaw objected to being asked to pay water rates of one pound for six months as she said there was no water laid on to the block and as the land belongs to the park she considered herself practically a caretaker of the buildings. A plea the Under Secretary heeded and requested the Water Work Board to withdraw the notice.

In 1903 the Perth Electric Tramways Ltd. inquired into whether it would be possible to acquire the lease on Perth town Lots L74 and L76 as they wanted to run an inclined tramway from One Tree Point near Mounts Bay Road to Kings Park, they were

referred to the Kings Park Board and the project and nothing came of the proposal.

On 31 January 1907 Mrs Anna Shaw married Thomas Osborne who worked for the Swan River Shipping Company. Shortly after this a letter was sent to Mrs Osborne saying that as no rent had been paid for three and a half years the lease is liable to immediate cancellation. When no effort to pay the arrears was made the lease was cancelled on 1 July 1907. On 31 July 1907 Inspector JT Barrow reported Mrs Osborne was still in possession of the land and she informed him she had been for the last sixteen years and the land was held by her father as a pensioner grant. By this time Mrs Osborne had leased the Swan River Tea Gardens to a Mrs Stiles who said prior to her signing the lease she had been assured by her solicitor that Mrs Osborne's title to the land was indisputable. Despite all this the plea of poverty did not fall on deaf ears and the rent was reduced to ten shilling per annum and Mrs Osborne was to remain a tenant-at-will. Despite the rent reduction she still did not pay the rent and the debt incurred by 15 November 1915 was fifteen pounds two shilling and six pence while the capital value of the buildings was reduced to fifty pounds due to their dilapidated state.

A further inquiry dated 10 March 1916 stated that Mrs Osborne formerly Mrs Shaw, a daughter of pensioner Patrick Neeson, was still occupying the premises at Town Lot 74. Her father and husband (Shaw) built the buildings consisting of a small weather board shop and two dwelling rooms, the shop now tenanted by Mrs Mitchell at a rent of ten shillings a week which Mrs Osborne used for her own maintenance. By this time Mrs Osborne was living alone as her youngest son had recently married and was in the Army.

GOVERNMENT LAND SALES.
Department of Lands and Surveys,
Perth, December 21, 1917.
PERTH TOWN LOT L74.
It is hereby notified for general information that the fee simple of Perth Town Lot L74, having a frontage of 150 links to **Mount's Bay road** and adjoining King's Park Reserve, will be submitted to **PUBLIC AUCTION** by Mr. Albert Clerk, Government Auctioneer, at the Department of Lands and Surveys, Perth, on **FRIDAY, JANUARY 11, 1918**, at 11 a.m., at an upset price of £300, subject to the payment of £54 3s. 8d. for sewerage connections, to be paid by the purchaser on terms to be arranged between him and the Water Supply Department.
R. CECIL CLIFTON,
Under-Secretary for Lands.

After Mrs Osborne's death on 2 May 1917 the Under Secretary for Lands notified her daughter Mrs Margaret Lindsay who 'has

approached the department in connection with obtaining possession of the land and buildings. I advised them, however, that there were no circumstances which entitled the children to consideration towards occupancy of this land, and, it is quite likely therefore, that the land would be included in Kings Park'.

The solicitors Dunstan & Ackland wrote to the Under Secretary of land seeking information about title to the land L74 seeing the land has been in the family's possession for sixty years. Needless to report the answer was the land had been forfeited for non-payment of rent and was Crown land and was never alienated, the Notice of Forfeiture was published in the Government Gazette and the buildings to be submitted for auction.

The auction of the buildings had a net value of seventeen pounds two shilling, after deducting their expenses the remainder ten pounds and three pence was sent as a refund voucher to the executors of Mrs Osborne's will. The Town of Perth requested payment out of the proceeds of the auction of thirteen pound seven shilling and nine pence owing in rates but they were referred to the executor.

LOT L74

A BIT OF OLD PERTH.

It has been decided by the Minister for Lands to withdraw from sale Perth Town Lot L74, advertised to be sold by public auction at the Department of Lands and Surveys on the 11th inst. This simple official announcement covers an interesting scrap of old Perth history. Lot L74 has a frontage of 150 links to **Mount's Bay-road**, and adjoins King's Park. It will be best remembered by the people as the lot upon which stood for many years a small refreshment room. The land was held by a Crown grant. An old military pensioner named **Neeson** lived there on special terms from the authorities, and these terms were maintained so long as **Neeson's** direct descendants wanted to live there. The older generation has passed away, and the Government has now resumed possession, demolishing the old building. It was intended to sell the lot in order to benefit the revenue, but a protest from the King's Park authorities has resulted in the abandonment of that intention.

The block was offered to the Kings Park Board but they said they were not in position to buy the land and it was decided to sell the land valued at three hundred pounds with the sewage connection fee payable by the purchaser by auction on 11 January 1918. It was withdrawn from sale and on 28 February 1918 the Kings Park Board were advised it could have the land provided they level and fill the low lying areas, an offer they accepted on 2 May 1918 bringing to an end a forty year saga.

As late as 30 August 1918 the under Secretary for Water Supply

was still requesting the eighteen

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pounds raised by the sale of the buildings to pay part of the cost of the sewage connection of forty six pound one shilling and nine pence, they got similar treatment as the Town of Perth and told to contact the Kings Park Board.

Reference: SROWA Cons
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