



SUPPLEMENT  
TO THE  
VICTORIA  
GOVERNMENT GAZETTE

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WEDNESDAY, DECEMBER 21.

[1864.

THE SUBDIVISIONS OF THE SHIRE OF BALLARAT.

*At the Government House, Melbourne, the twelfth day of December, 1864.*

PRESENT:

His Excellency the Governor Mr. McCulloch Mr. Michie Mr. Higinbotham Mr. Verdon	Mr. Francis Mr. Grant Mr. Sullivan
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WHEREAS by *The Local Government Act, 1863*, it is amongst other things enacted, that at any time after the first annual election or general election, as the case may be, or first appointment of members of the district board, for any original or proclaimed district thereafter sometimes called "single district," the Governor in Council, if it seem fit, may, and if he shall have received a petition to that effect signed by twenty persons liable to be rated under the said Act in respect of rateable property in the said district, shall within three months after the receipt of the same divide the district into two, or, if the Governor in Council shall see fit, into three separate electoral subdivisions, hereinafter called subdivisions, by such names as shall by such Order in Council be assigned to the same, and in and by such Order in Council the boundaries of the subdivisions shall be set forth; provided that no such division shall be made within three months before any day appointed for holding any election of members of the district board in or for such district; and it is also enacted that every shire shall after the Proclamation thereof as such be and be deemed to be and have been such and the same district as such shire was at the time of such Proclamation, and save as aforesaid and save where herein otherwise expressly provided all the provisions of the said Act relating to districts shall continue and be of full force and effect with regard to such shire and be read accordingly: And whereas by an Order of the Governor in Council made on the sixteenth day of November, 1863, the shire of Ballarat was constituted: And whereas the Governor in Council has received a petition signed by not less than twenty persons liable to be rated under the said Act in respect of rateable property in the said shire, praying for the division of the said shire into three subdivisions: Now therefore His Excellency the Governor, by and with the advice of the Executive Council, doth by this present Order divide the shire of Ballarat into three separate electoral subdivisions in accordance with the provisions of the said Act, by the names hereinafter assigned to the same respectively, and doth hereby set forth the boundaries of the said several subdivisions in manner following, that is to say:—

**THE EAST RIDING.**—Commencing on the eastern side of the Main Ballarat and Creswick road where it is intersected by the north boundary of the borough of Ballarat; thence northerly by the eastern side of said road to the northern boundary of the parish of Ballarat; thence by a line bearing north to the north-east angle of portion 112, parish of Spring Hill; thence west to the centre of the road forming the boundary between portions 79 and 76, parish of Glendaruel; thence southerly by the centre of the said road to the centre of a road forming the boundary between portion H of section XI, parish of Glendaruel, and allotment 26 of the same parish; thence easterly by the centre of the said road to the centre of a road forming the boundary between allotments 29 and 30, parish of Glendaruel; thence southerly, by

the centre of said road to the centre of a road forming the boundary between allotments 38 and 42, parish of Burrumbeet; thence westerly by the centre of the said road to the centre of the Main road from Ballarat to Avoca; thence south-easterly by the centre of the said Main road to the western boundary of the parish of Ballarat; thence southerly by the western boundary of the parish of Ballarat to the north-west angle of the borough of Ballarat; thence by the northern boundary of said borough east to the commencing point; excepting that portion of the municipality of Creswick included within the above boundaries.

**THE SOUTH RIDING.**—Commencing at a point on the western boundary of the parish of Ballarat, where it is intersected by the centre of the main road from Ballarat to Avoca; thence north-westerly by the centre of said main road to the centre of a road forming the boundary between 44 and 67, parish of Burrumbeet; thence westerly by the centre of said road to a point opposite the north-west angle of section X, parish of Ercildoun; thence by a line bearing south to the centre of the Fiery Creek road; thence by the western side of the Fiery Creek road and the northern and eastern shores of Lake Burrumbeet to the junction of the Burrumbeet Creek; thence south-easterly by the centre of said creek to point due north of the eastern boundary of section VIII, in the parish of Haddon; thence due south by the said eastern boundary and a direct line to a point in the centre of the road from Carngham to Ballarat; thence northerly and easterly by the centre of the said road to a point in its centre due north of the eastern boundary of section III, parish of Cardigan; thence south to the southern side of the road from Smythe's Creek to Ballarat, where it is intersected by the east boundary of section V, parish of Cardigan; thence by the southern side of said road easterly to the southern boundary of the borough of Ballarat; thence by part of the southern and western boundary of said borough, westerly and northerly, to the western boundary of the parish of Ballarat; thence by the western boundary of the parish of Ballarat northerly to the commencing point.

**THE WEST RIDING.**—Commencing at the intersection of the centre of the main road from Ballarat to Avoca with the centre of the road forming the boundary between portions 44 and 67, parish of Burrumbeet; thence westerly by the centre of the last-named road to a point opposite the north-west angle of section X, parish of Ercildoun; thence by a line bearing north to the north-west angle of the parish of Addington; thence by a line bearing east to the centre of a road forming the boundary between portions 76 and 79, parish of Glendaruel; thence southerly by the centre of the said road to the centre of a road forming the boundary between portion H of section XI, parish of Glendaruel, and allotment 26 of the same parish; thence easterly by the centre of the said road to the centre of a road forming the boundary between allotments 29 and 30, parish of Glendaruel; thence southerly by the centre of said road to the centre of a road forming the boundary between allotments 38 and 42, parish of Burrumbeet; thence westerly by the centre of said road to the centre of the main road from Ballarat to Avoca; thence south-easterly by the centre of the said main road to the commencing point.

And the Honorable James Forrester Sullivan shall give the necessary directions herein accordingly.

J. H. KAY,  
Clerk of the Executive Council.

POLLING PLACES FOR ELECTIONS IN THE INDENTED HEADS, THE MOORABBIN, AND THE STRATHFIELDSAYE ROAD DISTRICTS.

At the Government House, Melbourne, the twelfth day of December, 1864.

PRESENT:

His Excellency the Governor  
 Mr. McCulloch                      Mr. Francis  
 Mr. Michie                              Mr. Grant  
 Mr. Higinbotham                      Mr. Sullivan  
 Mr. Verdon

WHEREAS by *The Local Government Act, 1863*, it is amongst other things enacted, that in and for each original district within thirty days after the commencement of this Act, and in and for each single proclaimed district within fifteen days after the constitution thereof, the Governor in Council shall, and from time to time afterwards if it shall seem fit may on the application of the board of any such district, appoint a sufficient number of polling places for every such district at which the poll shall be taken at all elections held for the same, and may from time to time on the like application alter and vary the same: And it is also enacted, that in every district divided into subdivisions the Governor in Council shall, within fifteen days after any subdivision of such district shall become such subdivision, appoint in and for such subdivision one place to be the place of polling at all elections held in and for such subdivision, and may from time to time afterwards appoint in lieu thereof another such place within such subdivision: And whereas by an Order in Council made on the thirtieth day of November, 1863, certain polling places were appointed for elections in the Indented Heads Road District amongst others, and it is expedient to substitute another place in lieu of one of the polling places thereby appointed: And whereas by Orders in Council made on the fourteenth day of November, in the present year, the Moorabbin Road District and the Strathfieldsaye Road District were severally divided into three separate electoral subdivisions, and it is expedient to appoint a polling place for each subdivision: Now therefore His Excellency the Governor, by and with the advice of the Executive Council, doth by this present Order appoint the place mentioned in the second column of the first schedule hereunto annexed to be a substituted polling place for the Indented Heads Road District; and with the advice aforesaid doth also appoint the places mentioned in the third column of the second schedule hereunto annexed to be the polling places for the subdivisions of the Moorabbin Road District and the Strathfieldsaye Road District, opposite to which respective subdivisions such polling places are mentioned, viz.:-

FIRST SCHEDULE.

Road District.	Substituted Polling Place.
Indented Heads	Ransome's Farm, on the Portarlington and Queenscliff road (in lieu of St. Leonard's.)

SECOND SCHEDULE.

Road Districts.	Subdivisions.	Polling Places.
Moorabbin	East	Moorabbin.
	West	Cheltenham.
	North	East Brighton.
Strathfieldsaye	Strathfieldsaye	Lower Sheepwash.
	Mandurang	Milkman's Flat.
	Axedale	Axedale.

And the Honorable James Forrester Sullivan shall give the necessary directions herein accordingly.

J. H. KAY,  
 Clerk of the Executive Council.

DISTRICT FOR BEER LICENSES.\*

PROCLAMATION.

By His Excellency SIR CHARLES HENRY DARLING, Knight Commander of the Most Honorable Order of the Bath, Governor and Commander-in-Chief of the Colony of Victoria, &c., &c., &c.

WHEREAS by *The Wines, Beer, and Spirit Sale Statute, 1864*, it is amongst other things enacted that a beer license shall authorise the licensee to sell and dispose of, not earlier than Six o'clock in the morning nor later than Eight o'clock in the evening, any ale or beer to be drunk in the house or on the premises described in such license, except in the city of Melbourne or town of Geelong, or in any borough, and if the premises described in such license be subsequently to the granting of such license brought within any borough, such license shall expire

\* This Proclamation is substituted in lieu of that in page 2879 ante, which is erroneous.

at the end of the then current year; provided that upon the application by the council of any borough the Governor in Council may by proclamation in the *Government Gazette* declare the whole or any part of such borough a district wherein beer licenses may be granted, and may on a like application revoke any such proclamation: And whereas the Council of the Borough of Creswick has made application that part of the said borough may be declared a district under the proviso of the Act above recited: Now therefore I, Sir Charles Henry Darling, the Governor of Victoria, with the advice of the Executive Council, under and by virtue of the power conferred by the above-recited Act, do by this my Proclamation declare so much of the said Borough of Creswick as is hereinafter described to be a district wherein Beer Licenses may be granted, that is to say:-

Commencing at the south-west angle of the borough, being a point twenty-five chains north from the south-east angle of portion 75, parish of Ascot; thence by a line bearing north two miles ten chains; thence by a line bearing east two miles; thence by a line bearing south two miles ten chains; and thence by a line bearing west two miles to the commencing point.

Given under my Hand and the Seal of the Colony, at Melbourne, this twelfth day of December, in the year of our Lord One thousand eight hundred and sixty-four, and in the twenty-eighth year of Her Majesty's reign.

(L.S.)                                      C. H. DARLING.  
 By His Excellency's Command,  
 J. McCULLOCH,  
 Chief Secretary.

12465.

GOD SAVE THE QUEEN!

THE AVOCA UNITED ROAD DISTRICT.

PROCLAMATION.

By His Excellency SIR CHARLES HENRY DARLING, Knight Commander of the Most Honorable Order of the Bath, Governor and Commander-in-Chief of the Colony of Victoria, &c., &c., &c.

WHEREAS by *The Local Government Act, 1863*, it is amongst other things enacted, that if any borough and any road district shall adjoin each other and form with the boundaries thereof respectively one continuous area, or if any borough shall be surrounded by any road district, and if the council of such borough and the board of such road district shall be desirous that such borough and such road district be formed into one united district under the said Act, the same may be done in like manner and with the like effect in all respects as is thereinbefore provided with regard to the union of two or more road districts; and for the purpose of such union such borough shall be deemed to have been a district, and the several wards thereof, if any, to have been subdivisions, under the said Act, and the several provisions of the said Act shall apply to the same accordingly: And whereas the Boroughs of Avoca and Moonambel (the boundaries of which are described in schedule B of *The Municipal Corporations Act, 1863*) are wholly surrounded by the Avoca Road District, the boundaries of which are described in a Proclamation bearing date the twenty-seventh day of October in the year 1862: And whereas the councils of the said boroughs and the board of the said road district have by petitions under the respective common seals of the said councils and board prayed the Governor in Council, in manner provided by the twelfth clause of the above-recited Act, that the said boroughs and road district shall be constituted one united district: And whereas it seemed fit to the Governor in Council to make an Order in Council this day, constituting the said boroughs and road district one district as hereinafter mentioned: Now therefore I, Sir Charles Henry Darling, the Governor of Victoria, with the advice of the Executive Council, do hereby proclaim the constitution of the said Boroughs of Avoca and Moonambel and the Avoca Road District to be one district under the said Act, by the name in and by the said Order in Council assigned to the same, that is to say:-

THE AVOCA UNITED ROAD DISTRICT.

Given under my Hand and the Seal of the Colony, at Melbourne, this twelfth day of December, in the year of our Lord One thousand eight hundred and sixty-four, and in the twenty-eighth year of Her Majesty's reign.

(L.S.)                                      C. H. DARLING.  
 By His Excellency's Command,  
 J. F. SULLIVAN.

3019.

GOD SAVE THE QUEEN!

CONTROL OF CERTAIN BRIDGES OVER THE BARWON.

THE Governor, with the advice of the Executive Council, in pursuance of the provisions of *The Municipal Corporations Act, 1863*, has, by Order made on the 12th of December, 1864, appointed that the bridges, together with their approaches, hereinafter named and described, shall be under the control of the Council of the Borough of Newtown and Chilwell, viz.:-

"The bridge over the Barwon at the end of the West Melbourne road, and known as the Prince Albert Bridge, and a road one chain fifty links wide leading therefrom to the Main Barra-bool road; the above-mentioned road being bounded as follows, viz.:-Commencing at the south-west corner of the Prince

Albert bridge over the River Barwon, and bounded on the west by a strip of land separating it from the River Barwon, on the south by the Main Barrabool road, on the east by a line running parallel with the west boundary line of the land now before described to the River Harwon, and on the north by the said river to the corner post."

"The bridge over the River Barwon, and known as the Queen's Bridge, and a strip of land for a road leading therefrom, commencing at the south-east angle of the Queen's Gardens; thence westward forty-six chains to the original boundary line of the parish of Moorpanyal by a width of one chain fifty links; thence to the River Barwon ten chains forty-four links by a width of one chain, in the parish of Barrabool; bounded on the north by the Queen's Gardens, and on the south by a line running parallel with the north boundary line."

J. McCULLOCH.

Chief Secretary's Office,  
Melbourne.

10377.

**MINING OPERATIONS AUTHORIZED ON EXEMPTED  
LAND AT AVOCA.**

THE Governor, with the advice of the Executive Council, has, by Order made on the 12th of December, 1864, under the authority conferred by *The Gold Fields Act, 21 Victoria No. 32*, authorized the holders of miners' rights to prosecute mining operations within the limits of the Police Paddock, Avoca, on the following conditions, viz. :-

1. The mining operations shall be conducted in such a manner as not to interfere with the purpose for which the reserve was made.

2. The miners shall not nor will use the water in the river flowing through the paddock for the purpose of washing the gravel, clay, or debris taken from the bed of the said river.

3. The miners shall form a roadway or track for conveying the gravel, clay, or debris from the paddock; and if they require an opening to be made in the fence forming the boundary of the paddock, they shall construct a good and substantial gate furnished with a lock and key—such gate to be kept shut and locked when not required to be open for the purpose of ingress, egress, and regress.

4. When the claims shall be relinquished, the miners shall and will remove the gate and restore the fence to the condition it was in before the construction of the gate.

5. The miners shall not, nor will, excavate the natural banks of the river, nor sink any shafts, or make any excavation upon or within the reserve, nor remove any earth or rock save and except the clay, gravel, detritus, and sand lying in the bed of the said river.

6. If the miners shall cut or construct any drain or channel in the bed of the river, they shall, on ceasing to mine, refill the same and securely dam the waters, so that the natural water-holes may retain the waters flowing thereinto.

7. They shall not nor will erect any hut or tent upon or within the land reserved, nor remove or injure any timber, nor use any part of the said land for the purposes of residence, nor light any fires within the boundaries of the said land.

8. The miners shall not nor will allow any cattle or horses to graze in the said paddock.

9. Any miner or miners who shall take up a claim on this reserve shall, prior to commencing mining operations, deposit in the hand of the warden's clerk, or the clerk of petty sessions, the sum of Twenty pounds sterling, as a guarantee that he or they will observe and fulfil these conditions; and this sum shall be held by the warden's clerk, or the clerk of petty sessions, until the miner or miners who have made such deposit shall relinquish the claim held by him or them. If the conditions be fulfilled, then and in such case the whole sum shall be returned to the depositor or depositors; but if any of the conditions be not fulfilled, the whole of the said sum shall be forfeited, and the cost of repairing any damage done to the reserve shall be defrayed out of the moneys so forfeited.

10. In case any person so mining shall in any way violate the above conditions, it shall not be lawful for him any longer to mine upon or within such lands.

J. F. SULLIVAN,  
Minister of Mines.

Office of Mines,  
Melbourne.

**MINING OPERATIONS AUTHORIZED ON EXEMPTED  
LAND AT ST. ARNAUD.**

THE Governor, with the advice of the Executive Council, has, by Order made on the 12th of December, 1864, under the authority conferred by *The Gold Fields Act, 21 Victoria No. 32*, authorized the holders of miners' rights to mine on a reserve at St. Arnaud, bounded on the north-east by Napier street, on the south-east by Millet street, on the south-west by McMahon street, and on the north-west by Inkerman street, on the following conditions, namely:—

1. The surface of the ground shall not be occupied for the purpose of residence, and no tents or huts shall be erected thereon.

2. On ceasing to mine, the miners shall fill up all shafts and excavations made by them, and remove all debris, clay, and gravel, and leave the surface of the ground in as good a condition as before the commencement of mining operations.

3. The miners shall not nor will interfere with or injure the water-channel flowing through the said reserve, nor pollute the water therein.

4. The miners shall not nor will conduct their operations in such a manner as to injure the streets forming the boundaries of the said reserve.

5. After a miner shall have marked out his claim, and before he shall have commenced to work, he shall deposit in the hands of the warden's clerk the sum of Five pounds sterling as a guarantee that he will observe and fulfil these conditions; and this sum shall be held by the warden's clerk until the miner who has made such deposit shall relinquish the claim held by him. If the conditions be fulfilled, then and in such case the whole sum shall be returned to the depositor; but if any of the conditions be not fulfilled, the whole of the said sum shall be forfeited, and the cost of repairing any damage done to the reserve shall be defrayed out of the moneys so deposited.

6. In case any person so mining shall in any way violate any of the above conditions, it shall not be lawful for him any longer to mine upon any claim upon or within the lands above described.

J. F. SULLIVAN,  
Minister of Mines.

Office of Mines,  
Melbourne.

**MINING OPERATIONS AUTHORIZED ON EXEMPTED  
LAND AT SMYTHESDALE.**

THE Governor, with the advice of the Executive Council, has, by Order made on the 12th of December, 1864, under the authority conferred by *The Gold Fields Act, 21 Victoria No. 32*, authorized the holders of miners' rights to prosecute mining operations upon the land set apart as a site for racing and other purposes of public recreation at Smythesdale, in the parish of Haddon, county of Grenville, subject to the following conditions, viz. :-

1. The surface of the land shall not be broken, nor shall it be occupied for the purpose of residence, nor shall any tents or huts be erected thereon.

2. The mining operations shall be conducted in such a manner as not to interfere with the purpose for which the reserve was made.

3. The warden, or other authorized officer, shall have power at any time to order the immediate discontinuance of any mining operations within the said reserve, which may appear to him likely to injure the surface of the land.

4. The workings shall be open at all reasonable hours to the inspection of any mining surveyor or other authorized officer.

5. In case any person so mining shall in any way violate the above conditions, it shall not be lawful for him any longer to mine upon or within such lands.

J. F. SULLIVAN,  
Minister of Mines.

Office of Mines,  
Melbourne.

