



PORT PHILLIP  
GOVERNMENT GAZETTE,

Published by Authority.

TUESDAY, MARCH 19, 1844.

PROCLAMATION.

IN pursuance of the authority in me vested by a certain Act of the Imperial Parliament of Great Britain and Ireland, passed in the 5th and 6th year of Her Majesty's Reign, intituled "An Act for regulating the Sale of Waste Land belonging to the Crown in the Australian Colonies;" I do hereby notify and proclaim, that at 11 o'clock of Wednesday, the 24th day April next, the following Portions of Crown Land will be offered for sale, by public auction, at the Survey Office, in Melbourne, Port Phillip, at the upset price affixed to each lot respectively, on the terms and conditions, and under the provisions of the above recited Act. (Deposit 10 per cent.)

SUBURBAN LOTS.

1. BOURKE, 57a. 3r. 4p., Fifty-seven acres three roods and four perches, parish of Boroondara, portion No. 1; bounded on the north by a road 1 chain wide, which separates it from Crown Land, being a line bearing east 8 chains; on the east by a line bearing south 83 chains, which separates it from Crown Land; on the south by Kooyong-koot Creek; and on the west by portion No. 2, containing 40 acres and 32 perches, being a line bearing north 53 chains. Upset price £2 per acre.
2. BOURKE, 40a. 32p., Forty acres and thirty-two perches, parish of Boroondara, portion No. 2; bounded on the north by a road 1 chain wide, being a line bearing east 8 chains; on the east by portion No. 1, containing 57 acres 3 roods and 4 perches, being a line bearing south 83 chains; on the south by Kooyong-koot Creek; and on the west by portion No. 3, containing 35 acres 2 roods and 16 perches, being a line bearing north 48 chains. Upset price £2 per acre.
3. BOURKE, 35a. 2r. 16p., Thirty-five acres two roods and sixteen perches, parish of Boroondara, portion No. 3; bounded on the south by a road 1 chain wide, which separates it from Crown Land, being a line bearing east 8 chains; on the east by portion No. 2, containing 40 acres and 32 perches, being a line bearing south 48 chains; on the south by Kooyong-koot Creek; and on the west by portion No. 4, containing 34 acres 3 roods and 28 perches, being a line bearing north 43 chains. Upset price £2 per acre.
4. BOURKE, 34a. 3r. 28p., Thirty-four acres three roods and twenty-eight perches, parish of

Boroondara, portion No. 4; bounded on the north by a road 1 chain wide, being a line bearing east 8 chains; on the east by portion No. 3, containing 35 acres 2 roods and 16 perches, being a line bearing south 43 chains; on the south by Kooyong-koot Creek; and on the west by portion No. 5, containing 39 acres and 2 roods, being a line bearing north 48 chains 50 links. Upset price, 12 per acre.

5. BOURKE, 39a. 2r., Thirty-nine acres and two roods, parish of Boroondara, portion No. 5; bounded on the north by a road 1 chain wide, being a line bearing east 8 chains 50 links; on the east by portion No. 4, containing 34 acres 3 roods and 28 perches, being a line bearing south 48 chains 50 links; on the south by Kooyong-koot Creek; and on the west by a road 1 chain wide, which separates it from portions Nos. 6, 11, 12, 13, 14, and 50, being a line bearing north 46 chains 50 links. Upset price £2 per acre.

6. BOURKE, 15, Fifteen acres, parish of Boroondara, portion No. 25; bounded on the north by portion No. 26, containing 17 acres and 30 perches, being a line bearing east 26 chains and 50 links; on the east by a road 1 chain wide, which separates it from portion No. 32, containing 18 acres and 3 roods, being a line bearing south 30 degrees west 7 chains 20 links; on the south by portion No. 24, containing 10 acres 2 roods and 24 perches, being a line bearing west 21 chains 75 links; and on the west by the Yarra Yarra River. Upset price £3 per acre.

7. BOURKE, 17a. 30p., Seventeen acres and thirty perches, parish of Boroondara, portion No. 26; bounded on the north by portion No. 27, containing 15 acres and 20 perches, being a line bearing east 29 chains 50 links; on the east by a road 1 chain wide, which separates it from portion No. 31, containing 16 acres 1 rood and 25 perches, being a line bearing south 30 degrees west 7 chains 20 links; on the south by portion No. 25, containing 15 acres, being a line bearing west 26 chains 50 links; and on the west by the Yarra Yarra River. Upset price £3 per acre.

8. BOURKE, 15a. 20p., Fifteen acres and twenty perches, parish of Boroondara, portion No. 27; bounded on the north by portion No. 23, containing 16 acres 1 rood and 20 perches, being a line bearing east 31 chains 50 links; on the east by a road 1 chain wide, which separates it from portion No. 30, containing 11 acres and 2 roods, being a line bearing south 30 degrees

west 5 chains 84 links; on the south by portion No. 26, containing 17 acres and 30 perches, being a line bearing west 29 chains 50 links; and on the west by the Yarra Yarra River. Upset price £3 per acre.

9. BOURKE, 16a. 1r. 20p., Sixteen acres one rood and twenty perches, parish of Boroondara, portion No. 28; bounded on the north by a road 1 chain wide, which separates it from Crown Land, being a line bearing east 34 chains; on the east by a road 1 chain wide, which separates it from portion No. 29, containing 10 acres, being a line bearing south 30 degrees west 5 chains 84 links; on the south by portion No. 27, containing 15 acres and 20 perches, being a line bearing west 31 chains 50 links; and on the west by the Yarra Yarra River. Upset price £3 per acre.

10. BOURKE, 2a. 1r. 24p., Two acres one rood and twenty-four perches, parish of South Melbourne, at St. Kilda, portion No. 6; bounded on the north-east by a road one chain wide, commencing at the east corner of allotment No. 5, being a line bearing south-east 3 chains; on the south-east by portion No. 7, containing 2 acres and 1 rood, being a line bearing south-west 8 chains; on the south-west by a reserve fronting Hobson's Bay, being a line bearing north-west 3 chains; and on the north-west by a reserve and portion No. 5, containing 1 acre 3 roods and 8 perches, being a line bearing north-east 8 chains. Upset price £50 per acre.

11. BOURKE, 2a. 1r. 24p., Two acres one rood and twenty-four perches, parish of South Melbourne, at St. Kilda, portion No. 8; bounded on the north-east by a road one chain wide, commencing at the east corner of allotment No. 7, being a line bearing south-east 4 chains; on the south-east by Crown Land, being a line bearing south-west 5 chains; on the south-west by a reserve fronting Hobson's Bay, being a line bearing 289 degrees 30 minutes 450 links; and on the north-west by portion No. 7, containing 2 acres and 1 rood, being a line bearing north-east 7 chains. Upset price £50 per acre.

Given under my Hand and the Seal of the Colony, at Government House, Sydney, this seventh day of March, in the year of Our Lord one thousand eight hundred and forty-four, and in the seventh year of Her Majesty's Keign.

(L.S.) GEORGE GIPPS.

By His Excellency's Command,

E. DEAS THOMSON.

GOD SAVE THE QUEEN!

Land Office, Melbourne,  
March 13th, 1844.

THE Regulations of 21st August, 1841, relative to the occupation of Crown Lands within the limits of Location, not being generally understood to apply to the District of Port Phillip, His Honor the Superintendent has been pleased to direct that the Regulations above-mentioned be republished for general information.

ROBERT HODDLE,  
Surveyor.

Colonial Secretary's Office,  
Sydney, 21st August, 1841.

OCCUPATION OF CROWN LANDS WITHIN THE BOUNDARIES.

WITH reference to the Regulations of 1st August, 1831, 25th September, 1839, and 13th of February, 1840, relative to the Leasing of Crown Land within the Boundaries of Location, and to the 6th clause in the Act of Council 5 Victoria No. 1, His Excellency the

Governor directs it to be notified that it having been found inconvenient to issue Annual Leases in the manner pointed out in the said Regulations, it is proposed, in future, instead of Annual Leases, to grant Licenses to Depasture Cattle and other Stock in lieu thereof.

The said Regulations have accordingly been cancelled so far as they apply to the Leases in question, and the following are to be substituted for them:—

1st. The Land for the occupation of which Licenses may be obtained will be advertised from time to time in the *Government Gazette*.

2nd. Persons wishing to have particular Lands advertised, may apply, as heretofore, to the Surveyor-General for that purpose.

3rd. No lot consisting of less than one square mile or 640 acres, will be put up, except in special cases, which may render expedient a departure from this rule; And in any case where there is a Broken Section, with water frontage, the section behind it will be added to the Lot.

4th. The upset price of each Lot will be specified in the advertisement, the bidding will be upon this upset price, and the Lot will be knocked down to the highest bidder.

The Government, however, reserves to itself the right of refusing the bidding of any one; and before any bidding is accepted, if the yearly price of the Licenses does not exceed £5, the same will be demanded at the fall of the hammer, but if above £5, a deposit of ten per cent. will be required at the fall of the hammer, and the balance to be paid within one month from the day of sale.

5th. Parties failing to pay the balance within that period will forfeit the deposit of ten per cent., and will of course acquire no right to the occupancy of the Land intended to have been included in the License.

6th. Immediately upon payment of the full amount for the License, the same will be issued by the Colonial Treasurer in the form annexed.

7th. It is to be distinctly understood that the Lands included in any such License, will be open to purchase under the ordinary Regulations; and in the event of their being sold, must be surrendered by the party upon his receiving one month's notice, but in such case, the balance of the price of the License for the time it has to run will be returned to him.

8th. Parties holding Lands under License, in conformity with these regulations, will be entitled to the exclusive right of occupancy of the same during the period the License shall remain in force, for the purpose of depasturing Cattle and other stock, but a clause will be inserted in it restraining the holder from cutting cedar or other Timber, except such of the latter as may be required for domestic purposes, for firebote, fencing, stock yards, and other conveniences, for the enjoyment of the Land, provided that no part thereof be sold.

9th. In the DISTRICT OF PORT PHILLIP, licenses will be issued by the Sub-Treasurer of the District, in the same form and manner, and subject to the same formalities, in all respects, as licenses in the Sydney District, and persons desiring to have any particular portions of Land advertised, may make application for them to the Senior Surveyor of the District.

By His Excellency's Command,  
(Signed) E. DEAS THOMSON.

FORM OF LICENSE REFERRED TO.

License to Depasture Crown Lands within the Limits of Location,

Whereas by the Act of the Governor and Council, 5th Victoria, No. 1, it is amongst other things enacted, that no person occupying Crown Lands within the Limits prescribed for Location

to settlers, having a valid License for the occupation of the same signed by the Colonial Treasurer for the time being of the said Colony, or such other officer or officers as the Governor shall appoint, shall be liable to any penalty under the Act of Council, 2 Victoria No. 27, as the same is continued and amended by the former Act, for occupying such Lands, contrary to the provisions of the same, and whereas, on the day of 184 , an Annual License for the occupation of the Crown Land hereinafter described, was put up to auction, when of was declared the highest bidder, at the sum of and whereas he has since duly paid into my hands the said sum.

Now therefore I, in pursuance of the authority vested in me, do hereby License the said to Depasture Cattle and other Stock upon the said Land, which is described as follows. acres in the County of Parish of , Bounded, &c.

Provided, however, that the holder of this License shall not be entitled by virtue of the same, to cut Cedar, or other Timber, growing upon the said Land, except such of the latter as may be required for domestic uses, for fire-bote, fencing stockyards, or other conveniences, for the enjoyment of the said Land, and that no part thereof be sold. Provided, also, that this License shall be determinable on the Colonial Treasurer for the time being, or any person appointed by the Governor in that behalf, causing notice in writing for that purpose to be given or left for the holder of this License at his usual or last place of abode, one calendar month before the time limited for cancelling the same, and on payment to him of the Balance due for the period the License would otherwise have had to run.

This License to be in force for one year from the date hereof.

Given under my hand at  
this day of  
184 .

A. B.  
Colonial Treasurer.

11th Clause of New Land Regulations of 1st March, 1843.

"Lands of the 3rd Class, namely, Country Lots, including such as are designated 'Special Country Lots,' which may have been exposed to public competition at auction subsequent to the date hereof but not sold, may at any time be had at the upset price by the person or persons who may first apply and pay for them, at the Colonial Treasury of the District wherein they are situated.

"This regulation, however, does not extend to Town or Suburban Allotments, nor to any Land that may be held under License from the Crown, until the expiration of such License."

**GOVERNMENT NOTICE.**

**COMMISSION OF THE PEACE.**

NOTICE is hereby given that a certified copy of the Commission of the Peace recently issued for the Territory, and also the original Commission of the Peace for the Town of Melbourne have been deposited with the Deputy Registrar, in order that such of the Magistrates named in the General Commission as reside within the District of Port Phillip as well as those of the Town of Melbourne, who have not been already sworn in, may take the necessary oaths.

(Signed) C. J. LA TROBE.  
Superintendent's Office,  
Melbourne, 12th March, 1844.

Colonial Secretary's Office,  
Sydney, 23rd February, 1844.

**COMMISSIONER OF INSOLVENT ESTATES, PORTLAND.**

HIS Excellency the Governor has been pleased to appoint  
JAMES BLAIR, Esquire,  
to be the Commissioner of Insolvent Estates, at Portland, under the provisions of the Act of the Governor and Legislative Council 7th Victoria, No. 19, intituled "An Act to amend an Act, intituled 'An Act for giving relief to Insolvent persons and providing for the administration of Insolvent Estates,' and to abolish Imprisonment for debt."

By His Excellency's Command,  
E. DEAS THOMSON.

**Court of Requests.**

FOR THE COUNTY OF BOURKE.  
NOTICE is hereby given, that the Court of Requests for this county, will be holden in Melbourne, at the Court-house, King-street, on Monday, the first and the following days of April, 1844, at the hour of nine o'clock in the forenoon.

Plaints must be delivered at the office of the Registrar, on or before Thursday, the 21st day of March, instant.

Defences or set-off must be filed on or before Thursday, the 28th day of March, instant.

No plaint, defence, or set-off, shall be received or filed without having the name and residence of plaintiff and defendant written thereupon.

In defended cases, the plea of defence and notice of set-off must be in accordance with the forms prescribed by the late Rules of Court.

By order of the Commissioner,  
J. S. GRIFFIN, Registrar.  
March 13, 1844.

**Certificates of Freedom.**

CERTIFICATES of Freedom, in favor of the undermentioned individuals, are lying at this office for delivery:—

Timothy Mahony, Norfolk 3  
James Collins, Eliza 6  
Peter Lake, Henry Tanner  
Michael Murtagh, Parmelia 2  
James Morrissey, Asia 8  
George M'Guire, Royal Charlotte  
Edward M'Nally, Parmelia 2  
Sarah M'Donald, Buffalo  
Charles Neal, Lloyds  
Henry Radnedge, Warrior  
Catherine Reilly, Roslin Castle 3  
John Sweeney, Boyne  
George Sheerlock, Marquis of Huntley 4  
William Sevine alias Sievers, John Barry 3  
Alfred Turner, Bussorah Merchant  
Nathaniel West, Camden 1  
Thomas King, Bussorah Merchant 2  
William Kenny, Fairlie  
James Hunter, Roslin Castle 3  
Joseph Goode, Susan 1  
John Gibney, Royal Admiral 5  
Joseph Gotheridge, Moffatt  
Patrick Fogarty, Surry 8  
William Green, Asia 10  
John Foster, Hive 2  
John Daly, Sir Godfrey Webster 2  
William Culver, Henry Porcher 2  
Jeremiah Cahill, Hive 2  
William Carter, Henry Tanner  
Charles Britnell, England 2  
John Burton, Victoria  
Michael Bowker, Royal Sovereign

W. R. BELCHER,  
Clerk to the Beach.  
Melbourne Police Office,  
March 12th, 1844.

**Annual Licensing Meeting.**

**N**OTICE is hereby given, that a Special Court of Petty Sessions will be holden at the Police Office, Melbourne, on Tuesday, the 16th day of April next, for the purpose of hearing and determining upon applications for Licenses, under the Act of Council, 2 Victoria, No. 18, of 1838, Section No. 14. All applications to be addressed to the Bench of Magistrates, Melbourne, under cover to the undersigned, and no application will be attended to later than Friday, the 5th proximo.

W. R. BELCHER,  
Clerk to the Bench.

Melbourne Police Office,  
March 15th, 1844.

*In the Insolvent Estate of Benjamin Baxter.*

**N**OTICE is hereby given, that a third adjourned meeting of the creditors of the above estate will be holden before me, at my office, at the Supreme Court-house, Melbourne, on Wednesday, the 20th March, at ten o'clock, for proof of debts and examination.

Dated this 16th day of March, 1844.

WILLIAM VERNER,  
Commissioner of Insolvent Estates for  
the District of Port Phillip.

**I**MPOUNDED on the 14th March, at the South Yarra Pound, and if not released on or before the 8th April, will be sold at the pound yard—

One light brindle snail horned cow, near ear half off, JM off ribs, JF off shoulder, MM off rump, and strawberry heifer calf, J near ribs

One light strawberry cow, large up horns, JF off shoulder, JM off ribs, like WS within circle above, supposed BF.

One brown sided cow, white back, belly and tail, JF near ribs, heart near ribs, heart with JM underneath off ribs, DR with → underneath off rump

One light red and white poley cow, slit in each ear, AK near rump, blotch brand off side, near back bone, and like H-L near shoulder, and small H above, like RS near rump, piece out back of near ear

One red poley cow, like JL conjoined off ribs, like square with one side projecting upwards, off rump, like H-L near shoulder

One brown heifer, star in forehead, Jf near rump

One white poley cow, with few small yellow spots about neck and body, like I x P off rump, D off hip, like a very small brand off shoulder, piece out behind off ear, UR near rump

One small white bull calf, red ears, and slit in near ear

One red sided cow, like J HR conjoined, off rump, JM off ribs, F forming J reversed, off shoulder, off horn sawn close off, near horn broken off, HB conjoined near shoulder, and a large red heifer calf

One red and white steer calf, no brand visible, about ten months old

One red bullock, wide horns, cm off ribs.

Also, on the 16th March, and if not claimed on or before the 9th April, will be sold at the pound—

A chestnut gelding Timor pony, supposed H off side neck, scar off side under saddle, switch tail, near hip down.

W. ATKINSON,  
Poundkeeper.

13s. 3d.)

**I**MPOUNDED at the South Yarra Pound on the 9th March, 1844, and if not claimed on or before the 2nd April, will be sold at Pound Yards:—

One red cow, a letter like a "u" near rump, HL off rump, like small anchor below

One yellow cow, white on rump and shoulders, belly and tail, HL off rump, grey face, short horns WH J

One red sided cow, white head, back, belly, and tail, neck and thighs speckled, large horns, illegible brand off rump, JH with a crooked stroke under off ribs, and black sided calf, supposed to be Captain Harrison's

One red sided heifer calf, white back, belly and tail, grey face, supposed AK near thigh

One brown heifer calf, like H or M adjoining another letter near thigh

One brindle and white steer calf, illegible brand near rump

N.B.—The chestnut colt advertised previously as branded FI near shoulder appears to be a bright bay.

W. M. ATKINSON,  
Poundkeeper.

7s. 9d.

**I**MPOUNDED at Pentridge, March 6, 1844—

A black filly, long tail, small white spot on nose and forehead, C near shoulder.

If not released, it will be sold at the pound yard, 1st April, in accordance with act of council.

*Impounded 9th March.*

A yellow sided poly cow, calf by side, HK near side, 5 or S off shoulder, F within heart, off rump

A dark brown poly cow, white on forehead and rump, F within heart off rump, 5 or S off shoulder, HK near ribs

A brown sided cow, F within circle near ribs

A red cow, short horns, C off ribs, RA rump.

*Impounded 10th March.*

A poly cow, brown and white, black neck, supposed S and an illegible letter off rump.

If not released, they will be sold at the pound yard, 3rd April, in accordance with act of council.

G. P. ANDERSON,  
Poundkeeper.

7s. 6d.

**I**MPOUNDED at Melbourne, on March 8th, 1844—

One brown working bullock, white belly, a slit in the off ear, near ribs JM, off rump sup-

posed R n, off ribs M within circle, off shoulder B, off thigh (M).

If not claimed and expenses paid on or before the 29th day of March, to be sold at the pound yard, according to the Act of Council.

G. SCARBOROUGH,  
Poundkeeper.

4s. 9d.

**I**MPOUNDED at Melbourne, on March 10, 1844—

One bay gelding, black points, long tail, a star on the forehead, has two hollow places on the off side on the neck near the point of the shoulder, stands about 14 hands high, branded on the off side on the neck two Js, forming a cross.

If not claimed and expenses paid on or before the 3rd day of April to be sold at the pound yard according to the Act of Council.

G. SCARBOROUGH,  
Poundkeeper.

4s. 9d.