



SUPPLEMENT  
TO THE  
VICTORIA  
GOVERNMENT GAZETTE

OF TUESDAY, JANUARY 12, 1858.

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TUESDAY, JANUARY 12.

[1858.

THE MINING DISTRICTS.

At the Government House, Melbourne, the fourth day of January, 1858.

PRESENT:  
His Excellency the Governor

Major-General Macarthur	Mr. McCulloch
Mr. Haines	Mr. Fellows
Mr. Ebden	Mr. Mitchell
Mr. Moore	

WHEREAS by an Act passed in the twenty-first year of the reign of Her present Majesty, intituled, "An Act for amending the Laws relative to the Gold Fields," it is enacted that it shall be lawful for the Governor in Council, from time to time, to erect any portion of the colony into a mining district, and to give to such district some distinguishing name, and to define the limits and boundaries thereof: Now therefore His Excellency the Governor, by and with the advice of the Executive Council, doth by this present order erect the portions of the colony hereinafter described into mining districts, and give to such districts the distinguishing names of "The Mining District of Ballarat," "The Mining District of Castlemaine," "The Mining District of Sandhurst," "The Mining District of Maryborough," "The Mining District of Ararat," and "The Mining District of Beechworth," respectively, and define the limits and boundaries thereof as follows (that is to say):—

THE MINING DISTRICT OF BALLARAT.

Commencing at the source of the Emu Creek; thence southwards by the Emu Creek and a line south to the source of the Gnarket Ponds; thence by the Gnarket Ponds to the Main road to Sheldford; thence eastward by that road to the River Yarrowee; thence by a line north-easterly to a point on the River Moorabool one mile north of the town of Lethbridge; thence east six miles; thence north to the Anyche Youang Hills; thence by the range to the Little River; thence by the Little River to its junction with its main tributary; thence by a line north-easterly to the junction of the Djerrirwarh Creek and the River Werribee; thence by the Djerrirwarh Creek to its source near Mount Bullancrook; thence by the Bullancrook range to the main dividing range; thence by the main dividing range, westerly, to the source of the Bullarook Creek; thence by the range dividing the Bullarook and Joyce's Creek to a point due east of the junction of the Bullarook and Tullaroop Creeks; thence by a line bearing west to the Mount Greenock Creek; thence by the Mount Greenock Creek to its source; and thence by the main dividing range westerly to the commencing point aforesaid.

THE MINING DISTRICT OF CASTLEMAINE.

Commencing at the junction of the Deep Creek and the River Loddon; thence by a line easterly to the south-western angle of the parish of Lockwood; thence by a line bearing south five miles; thence by a line bearing east to the parish of Harcourt; thence by the northern boundary of that parish and the Mount Alexander range to the Myrtle Creek; thence by the Myrtle Creek and the River Coliban to the River Cam-

paspe; thence southward by the River Campaspe to its source; thence westwards by the dividing range to the source of the Bullarook Creek; thence by the range separating the Bullarook and Joyce's Creek and a line west to the junction of the Tullaroop and Bullarook Creeks; thence northwards by the Deep Creek to the parish of Carisbrook; thence by the southern, eastern and northern boundaries of that parish, and again by the Deep Creek to the commencing point aforesaid.

Commencing again at the junction of the Kooyoung-koot Creek with the River Yarra Yarra; thence by that creek to its source in the dividing range, forming the southern basin of the River Yarra Yarra; thence by that range to the source of the Woori Yaloak Creek; thence by that creek to the River Yarra Yarra; thence by the River Yarra Yarra to Watts' Creek; thence by Watts' Creek to the great dividing range; thence by the great dividing range to the source of the River Plenty; and thence by the River Plenty and Yarra Yarra to the commencing point last aforesaid.

THE MINING DISTRICT OF SANDHURST.

Commencing at the south-western angle of the parish of Lockwood; thence west four miles; thence north thirty-two miles; thence east to the Bendigo Creek; thence southwards by that creek and a line east to a point on the River Campaspe due west of Barrow's Inn; thence southwards by the River Campaspe to a point due west of Mount Camel; thence by a line east to the Corinnella Creek; thence northwards by that creek to Lake Cooper; thence by the eastern shores of that lake to the most northern point thereof; thence by a line east to the River Goulburn; thence southwards by the River Goulburn to Hughes's Creek; thence by a line south-westerly to the source of the McIvor or Patterson's Creek; thence by a line north-westerly to the junction of the Rivers Coliban and Campaspe; thence westward by the River Coliban, the Myrtle Creek and the Mount Alexander range to the northern boundary of the parish of Harcourt; thence west seven miles and sixty-four chains; and thence north to the commencing point last aforesaid.

Commencing again at the source of Mollison's Creek; thence by that creek to the Kurucuruc Creek; thence by a line east to the Dabyminga Creek; thence southwards by that creek to the main dividing range; and thence by the main dividing range to the commencing point last aforesaid.

THE MINING DISTRICT OF MARYBOROUGH.

Commencing at a point on the River Loddon due east of the southern shores of Lake Hindmarsh; thence by a line bearing west to the Yarrambiack Creek; thence southwards by the Yarrambiack Creek to the bifurcations of the Wimmera; thence eastwards by the main road to the town of Navarre; thence by the western boundary of the town of Navarre and a line bearing south to the main dividing range; thence by the main dividing range to the source of the Mount Greenock Creek; thence northwards by the Mount Greenock Creek, and thence by a line east to the junction of the Bullarook and Tullaroop Creeks; thence northwards by the Deep

Creek to the parish of Carisbrook; thence by the southern, eastern and northern boundaries of that parish and again by the Deep Creek to the River Loddon; and thence northwards by the River Loddon to the commencing point aforesaid.

#### THE MINING DISTRICT OF ARARAT.

Commencing at the bifurcation of the River Wimmera; thence by the River Wimmera and a line south-west to Brigg's Bluff; thence by the Grampians and the Serra range to the southern boundary of the county of Ripon; thence eastwards by that boundary to the Emu Creek; thence northward by the Emu Creek to the main dividing range; thence westward by the main dividing range to a point due south of the western boundary of the town of Navarre; thence by a line bearing north to Navarre; and thence westwards by the main road to the commencing point aforesaid.

#### THE MINING DISTRICT OF BEECHWORTH.

Commencing at the junction of the River Owens with the River Murray; thence by a line westerly to the range dividing the waters of the River Owens and Broken Creek; thence by that range southwards to the source of the Fifteen-mile Creek; thence by a line south-easterly, crossing the River King, to the dividing range at the source of the River Whorouly; thence by that range to the great dividing range; thence by the great dividing range to the source of the Indi or Limestone River; and thence by part of the eastern and northern boundaries of this colony to the commencing point aforesaid.

And the Honorable William Clark Haines, Her Majesty's Chief Secretary for Victoria, shall give the necessary directions herein accordingly.

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

#### DIVISIONS OF MINING DISTRICTS.

At the Government House, Melbourne, the fourth day of January, 1858.

PRESENT :

His Excellency the Governor	
Major-General Macarthur	Mr. McCulloch
Mr. Haines	Mr. Fellows
Mr. Edden	Mr. Mitchell
Mr. Moore	

WHEREAS by an Act passed in the twenty-first year of the Reign of Her present Majesty, intituled, "An Act for amending the Laws relative to the Gold Fields," it is enacted that it shall be lawful for the Governor in Council, to split any mining district into any number of divisions and to define the limits and boundaries thereof respectively, and also to determine the number of members of the mining board of such district which shall be elected within and for every such division; but so that the total number of members elected for such district shall in no case exceed or be less than ten: Now therefore His Excellency the Governor, by and with the advice of the Executive Council, doth by this present Order split the several mining districts named in the first column of the schedule hereunto annexed, into the number of divisions set opposite thereto in the second column of the same schedule, and define the limits and boundaries of every such division to be those set forth in the last column of the same schedule, and determine that the number of members of the mining board of every such district which shall be elected within and for every such division, shall be that set immediately under the name of every such division respectively, in the third column of the said schedule.

#### THE SCHEDULE.

Name of Mining District.	Number of Divisions	Names of Divisions.	Limits and Boundaries of Divisions.
BALLAARAT	Six ...	BALLAARAT ... <i>Three members</i>	Commencing at the junction of the Emu and Spring Creeks; thence northerly by the Emu Creek to its source in the great dividing range; thence by the great dividing range easterly to Mount Piscal; thence east by a road passing over Mount Piscal about one and a half miles to the eastern side of the Main Ballaarat and Creswick road; thence southerly by the Ballaarat and Creswick main road about two miles to the southern boundary of allotment forty-two, parish of Ballaarat; thence by the said boundary and a line bearing east about three miles to the great dividing range; thence by the great dividing range easterly to the western source of the Lal-lal Creek or rivulet; thence by that rivulet southerly about nine and a half miles; thence by a line bearing west about seven and a half miles to a point on the main line of road between Buninyong and Ballaarat, about two and a half miles north-westerly from the northern boundary of the township of Buninyong; thence by a line bearing south-westerly about two miles to the main line of road between Buninyong and Sebastopol Hill; thence westerly about two and a half miles to a point about three and a half miles north from the south-west angle of the Buninyong Race Course, county of Grenville; thence by a line bearing north-westerly about ten and a half miles to the junction of the Burrumbeet Creek with Lake Burrumbeet; thence by the southern shore of Lake Burrumbeet and a line to the source of Baillie's or Salt Creek; thence by a line bearing south-westerly about nine miles to the commencing point aforesaid.
		BUNINYONG ... <i>Two members</i>	Commencing at a point about three and a half miles north of the south-west angle of the Buninyong Race-course, county of Grenville; thence easterly about two and a half miles to a point on the main line of road between the township of Buninyong and Sebastopol; thence north-easterly about two miles to a point on the main line of road between the township of Buninyong and Ballaarat, about two and a half miles north-westerly from the northern boundary of the township of Buninyong; thence by a line bearing east about seven and a half miles to the Lal-lal rivulet; thence southerly by the Lal-lal rivulet and a line bearing south about three and a half miles to Williamson's Creek; thence southerly by Williamson's Creek and the river Yarrowee to the town of Shelford; thence by the main road to Cressy to the Woody Yaloak Creek; and thence by the Woody Yaloak Creek and a line northerly to the commencing point aforesaid.
		CRESWICK ... <i>One member</i>	Commencing at the source of the Mount Greenock Creek, in the great dividing range; thence by the great dividing range easterly to Mount Piscal; thence east by a road passing over Mount Piscal about one and a half miles to the eastern side of the main Ballaarat and Creswick road; thence southerly by the Ballaarat and Creswick main road about two miles to the southern boundary of allotment forty-two, parish of Ballaarat; thence by the said boundary and a line bearing east about three miles to the great dividing range; thence by the great dividing range easterly to the source of the Bullarook Creek; thence north-westerly by the range dividing Joyce's Creek and the Bullarook Creek; and by a line west to the junction of the Tullaroop and Bullarook Creeks; thence by a line bearing west to the Mount Greenock Creek; and thence southerly by the Mount Greenock Creek to its source in the great dividing range, the commencing point aforesaid.

## DIVISIONS—continued.

Name of Mining District.	Number of Divisions.	Names of Divisions.	Limits and Boundaries of Divisions.
BALLAARAT <i>(continued)</i>	...	SMYTHE'S CREEK <i>Two members</i>	Commencing at a point about three and a half miles north of the south-west angle of the Buninyong Race-course, county of Grenville; thence southerly to the Woody Yaloak Creek; thence by the Woody Yaloak Creek to the town of Cressy; thence by the main road to Lismore to the Gnarkoot Ponds; thence by the Gnarkoot Ponds and a line north to the Emu Creek; thence by the Emu Creek to its junction with Greenhill Creek; thence by a line easterly to Lake Burrumbeet near the source of Bailie's Creek; thence by the shores of that lake to the mouth of the Burrumbeet Creek; and thence by a line south-westerly to the commencing point aforesaid.
		BLACKWOOD... <i>One member</i>	Commencing at the junction of the Djerriwarrh Creek and the River Werribee; thence by that creek to its source near Mount Bullancrook; thence by the Bullancrook range and the main dividing range to the most western source of the River Werribee; thence by the range separating the waters of the Rivers Moorabool and Werribee and a line east to Ballan; and thence by the River Werribee to the commencing point.
		STEIGLITZ ... <i>One member</i>	Commencing at the western source of the Lal-lal Rivulet; thence southerly by the Lal-lal Rivulet about eleven and a half miles; thence by a line bearing south about three and a half miles to Williamson's Creek; thence by Williamson's Creek and the River Yarrowee to the town of Shellford; thence by a line north-easterly to a point on the River Moorabool, one mile north of the town of Lethbridge; thence east six miles; thence north to the Anyche Youang hills; thence by the range to the Little River; thence by the Little River to its junction with its main tributary; thence by a line north-easterly to the junction of the Djerriwarrh Creek and the River Werribee; thence by the River Werribee to Ballan; thence by a line west to the range separating the waters of the rivers Werribee and Moorabool; thence by that range and the main dividing range to the commencing point aforesaid.
BEECHWORTH	Seven	SPRING CREEK <i>Two members</i>	Commencing at the Falls on Spring Creek below the town of Beechworth; thence by a line bearing south forty chains to the ridge of May Day Hills; thence by that ridge to the Dingle Range; thence north three miles and twenty chains; thence west six miles, more or less, to May Day Hills; thence south-west to the commencing point aforesaid.
		SNAKE VALLEY <i>Two members</i>	Commencing at the Dingle Range; thence north three miles and twenty chains; thence east five miles and forty chains, more or less, to the Yackandandah Gap; thence south four miles and twenty chains; thence south-west by the basin of the north-western tributary of the Yackandandah Creek two miles and forty chains; and thence by the range north-westerly to the commencing point aforesaid.
		THREE - MILE CREEK <i>One member</i>	Commencing at the falls on Spring Creek, below the township of Beechworth; thence by a line bearing south forty chains to the ridge of Mayday Hills; thence by that ridge to the Dingle Range; thence south-easterly by the Dingle Range and the dividing range to the source of the Happy Valley Creek; thence by the Happy Valley Creek to the River Ovens; thence by a line bearing south passing over the peaks of the Buffalo Mountains to the main dividing range; thence by the main dividing range to the source of the River Whorouly; thence by a line north-west crossing the River King to the range dividing the waters of the River Ovens and Broken Creek; thence northwards by that range to a point due west of the junction of Hodgson's Creek and the River Ovens; thence by a line east to the said junction; thence upwards by Hodgson's Creek eight miles and forty chains; thence by the range forming the northern part of the basin of Hodgson's Creek and a line to the commencing point aforesaid.
		BUCKLAND ... <i>One member</i>	Commencing at the junction of the Happy Valley Creek and the River Ovens; thence by a line southward passing over the peaks of the Buffalo mountains to the main dividing range; thence by the main dividing range to the source of the Livingston Creek; thence by a line north to the Bogong range; thence by the Bogong range to the source of the Happy Valley Creek; and thence by that creek to the commencing point aforesaid.
		WOOLSHED ... <i>Two members</i>	Commencing at the junction of the Indigo Creek and the River Murray; thence by that creek and a line south to Mount Pilot; thence by a line south-easterly to the Yackandandah Gap; thence west eleven miles and forty chains; thence south-east to the Upper Falls below the town of Beechworth; thence by the northern part of the basin of Hodgson's Creek and by the said Hodgson's creek to the River Ovens; thence north-westerly by the River Ovens to the River Murray; thence easterly by the River Murray to the commencing point aforesaid.
		YACKANDANDAH <i>One member</i>	Commencing at the junction of the Indigo Creek and the River Murray; thence by the River Murray to the River Mitta Mitta; thence by the River Mitta Mitta to its junction with Sandy Creek; thence by Sandy Creek and a line south to the Bogong Range; thence by the range forming the north-eastern basin of the River Ovens to the Dingle Range; thence by the basin of the north-western tributary of the Yackandandah and a line north to the Yackandandah Gap; thence by a line north-westerly to Mount Pilot; thence by a line north to the Indigo Creek; and thence by the Indigo Creek to the commencing point aforesaid.
		OMEQ ... <i>One member</i>	Commencing at the junction of the Rivers Mitta Mitta and Murray; thence by the River Murray and the great dividing range to the source of the Livingstone Creek; thence by a line north to the Bogong Range; thence by the Bogong Range and a line north to Sandy Creek; thence by Sandy Creek to the River Mitta Mitta; and thence by the River Mitta Mitta to the commencing point aforesaid.

## DIVISIONS—continued.

Name of Mining District.	Number of Divisions	Names of Divisions.	Limits and Boundaries of Divisions.
CASTLEMAINE	Six ...	CASTLEMAINE <i>Three members</i>	Commencing at the north-eastern angle of the parish of Harcourt; thence west to the Muckleford Creek; thence by the Muckleford Creek to the River Loddon; thence by the River Loddon to Campbell's Creek; thence by a line north-easterly to a hill known as the Monk; thence by a line east and the main road to Elphinstone to the town of Elphinstone; thence by a line north-easterly to the junction of the Myrtle Creek and the River Coliban; and thence by the Myrtle Creek and the Mount Alexander range to the commencing point aforesaid.
		FRYER'S CREEK <i>One member</i>	Commencing at the junction of the Jim Crow Creek and the River Loddon; thence by the Jim Crow Creek to its junction with the Greenhill Creek; thence by a line south-easterly to the junction of the River Loddon and a Creek unnamed near Holcomb; thence by the River Loddon to its source; thence northwards by the range separating the rivers Loddon and Coliban to Elphinstone; thence by the main road to Castlemaine and a line bearing west to a hill known as the Monk; thence by a line south-westerly to the junction of Campbell's Creek and the River Loddon; and thence by the River Loddon to the commencing point aforesaid.
		TARRANGOWEN <i>Two members</i>	Commencing at the junction of the Deep Creek and the River Loddon; thence by a line easterly to the south-western angle of the parish of Lockwood; thence by a line bearing south five miles; thence by a line bearing east to the Muckleford Creek; thence by the Muckleford Creek to the River Loddon; thence by the River Loddon and the Jim Crow Creek to the Greenhill Creek; thence by a line north westerly to the south eastern angle of the parish of Carisbrook; and thence by the eastern and northern boundaries of that parish and by the Deep Creek to the commencing point aforesaid.
		HEPBURN ... <i>Two members</i>	Commencing at the south-eastern angle of the parish of Carisbrook; thence by a line south-easterly to the junction of the Greenhill and Jim Crow creeks; thence by a line south-easterly to the junction of the River Loddon and a creek unnamed, near Holcomb; thence by the River Loddon to its source; thence by the main dividing range to the source of the Bullarook Creek; thence by the range separating the waters of the Bullarook Creek and Joyce's Creek, and a line west to the junction of the Tullaroop and Bullarook Creeks; and thence by the Deep Creek and the southern boundary of the parish of Carisbrook to the commencing point aforesaid.
		TARADALE ... <i>One member</i>	Commencing at the source of the River Loddon; thence by the range separating the waters of the Rivers Loddon and Coliban to Elphinstone; thence by a line north-easterly to the junction of the Myrtle Creek and the River Coliban; thence by the River Coliban to the River Campaspe; thence by the River Campaspe to its source; and thence by the main dividing range to the commencing point aforesaid.
		ST. ANDREWS <i>One member</i>	Commencing at the junction of the Kooyoung-koot Creek with the Yarra Yarra; thence by that creek to its source in the dividing range, forming the southern basin of the River Yarra Yarra; thence by that range to the source of the Woori Yaloak Creek; thence by that creek to the River Yarra Yarra; thence by the River Yarra Yarra to Waitt's Creek; thence by Waitt's Creek to the great dividing range; thence by the great dividing range to the source of the River Plenty; and thence by the Rivers Plenty and Yarra Yarra to the commencing point aforesaid.
SANDHURST	Four...	SANDHURST ... <i>Five members</i>	Commencing at the south-western angle of the parish of Lockwood; thence west four miles; thence north thirty-two miles; thence east to the Bendigo Creek; thence southwards by that creek and a line east to a point on the River Campaspe due west of Barrow's Inn; thence southwards by the River Campaspe to the Mosquito Creek; thence by that creek to its source; thence by a line bearing south to the Myrtle Creek; thence westward by the Myrtle Creek and the Mount Alexander range to the northern boundary of the parish of Harcourt; thence west seven miles and sixty-four chains; and thence north to the commencing point aforesaid.
		HEATHCOTE ... <i>Two members</i>	Commencing at the junction of the Mosquito Creek and the River Campaspe; thence by that creek to its source; thence by a line south to the Myrtle Creek; thence by the Myrtle Creek and the River Coliban to the River Campaspe aforesaid; thence by a line south-easterly to the head of the McIvor or Patterson's Creek; thence by a line north-easterly to the junction of Hughes's Creek and the River Goulburn; thence by the River Goulburn to the Deegay Ponds; thence by the Deegay Ponds to their source; thence by the range to the Corinella Creek; thence by the Corinella Creek and a line west, passing over Mount Camel to the River Campaspe; and thence by that river to the commencing point aforesaid.
		WARANGA ... <i>Two members</i>	Commencing on the northern shore of Lake Cooper; thence by a line east to the River Goulburn; thence by the River Goulburn to the Deegay Ponds; thence by the Deegay Ponds to their source; thence by a line north to the Corinella Creek; and thence by the Corinella Creek and the eastern shores of Lake Cooper to the commencing point aforesaid.
		KILMORE ... <i>One member</i>	Commencing at the source of Mollison's Creek; thence by that creek to the Kurucuruc Creek; thence by a line east to the Dabyminga Creek; thence southwards by that creek to the main dividing range; and thence by the main dividing range to the commencing point aforesaid.

## DIVISIONS—continued.

Name of Mining District.	Number of Divisions	Names of Divisions.	Limits and Boundaries of Divisions.
ARARAT ...	Three	ARARAT ... <i>Six members</i>	Commencing at a point on the Grampians due west of Hall's Gap; thence by a line bearing east to the range separating the waters of the Mount William and Pleasant Creeks; thence by that range and the main dividing range to the most western source of the Fiery Creek; thence by the range separating the waters of the Fiery Creek and the River Hopkins and a line south to Lake Boloke; thence by the eastern shores of Lake Boloke and the southern boundary of the county of Ripon to the Serra Range; and thence northwards by the Serra Range and the Grampians to the commencing point aforesaid.
		PLEASANT CREEK <i>Three members</i>	Commencing at the bifurcations of the River Wimmera; thence easterly by the main road to the town of Navarre; thence by the western boundary of that town and a line south to the main dividing range; thence by the main dividing range and the range separating the waters of the Mount William and Pleasant Creeks to a point due east of Hall's Gap; thence by a line bearing west to the Grampians; thence by the Grampians Range to Brigg's Bluff; thence by a line north-east to the River Wimmera; and thence by the River Wimmera to the commencing point aforesaid.
		RAGLAN ... <i>One member</i>	Commencing at the most western source of the Fiery Creek; thence by the range separating the waters of the Fiery Creek and the River Hopkins and a line south to Lake Boloke; thence by the eastern shores of that lake and by the southern boundary of the county of Ripon to the Emu Creek; thence by the Emu Creek to its source; and thence by the main dividing range to the commencing point aforesaid.
MARYBORO'...	Five...	KORONG ... <i>One member</i>	Commencing at a point on the River Loddon due east of the southern shores of Lake Hindmarsh; thence by a line west to the River Avoca; thence southwards by the River Avoca to a point due west of Mount Bealiba; thence by a line bearing west to the River Loddon; and thence northwards by the River Loddon to the commencing point aforesaid.
		DUNOLLY ... <i>Two members</i>	Commencing at a point on the Avoca River due west of Mount Bealiba; thence southwards by the Avoca River to Natte Yaloak; thence by a line south-easterly to Joyce's pre-emptive section; thence by the northern and eastern boundaries of that section and by the Bet-bet Creek to the River Loddon; thence northwards by the River Loddon to a point due east of Mount Bealiba; thence by a line bearing west to the commencing point aforesaid.
		MARYBOROUGH <i>Five members</i>	Commencing at a point on the Bet-bet Creek due west of the southern boundary of the parish of Carisbrook; thence by the Bet-bet Creek to the River Loddon; thence by the River Loddon and the Deep Creek to the northern boundary of the parish of Carisbrook; and thence by the northern, eastern, and southern boundaries of the parish of Carisbrook, and a line bearing west to the commencing point aforesaid.
		AMHERST ... <i>One member</i>	Commencing at a point on the Bet-bet Creek due west of the southern boundary of the parish of Carisbrook; thence by the Bet-bet Creek to the Burnbank Creek; thence by the Burnbank Creek to its source; thence by the main dividing range to the source of the Mount Greenock Creek; thence by the Mount Greenock Creek and a line east to the junction of the Bullarook and Tullarook Creeks, and thence northwards by the Deep Creek to the southern boundary of the parish of Carisbrook; and thence by a line bearing west to the commencing point aforesaid.
		AVOCA ... <i>One member</i>	Commencing at a point on the Yarriambiack Creek due east of the southern shores of Lake Hindmarsh; thence by the Yarriambiack Creek to the bifurcations of the Wimmera; thence eastwards by the main road to the town of Navarre; thence by the western boundary of the town of Navarre, and a line bearing south to the main dividing range; thence by the main dividing range to the source of the Burnbank Creek; thence by the Burnbank and Bet-bet Creeks to Joyce's pre-emptive section; thence by the eastern and northern boundaries of that section and a line north-westerly to Natte Yaloak, on the River Avoca; and thence northwards by the River Avoca to a point due east of the southern shores of Lake Hindmarsh; and thence by a line bearing west to the commencing point aforesaid.

And the Honorable William Clark Haines, Her Majesty's Chief Secretary for Victoria, shall give the necessary directions herein accordingly.

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

## ELECTION OF MINING BOARDS.

At the Government House, Melbourne, the fourth day of January, 1858.

PRESENT:

His Excellency the Governor	
Major-General Macarthur	Mr. McCulloch
Mr. Haines	Mr. Fellows
Mr. Ebden	Mr. Mitchell
Mr. Moore	

WHEREAS by an Act passed in the twenty-first year of the Reign of Her present Majesty, intituled, "An Act for amending the Laws relative to the Gold Fields," it is enacted that the first general election of members of the Mining Board in any mining district shall take place on such Saturday as the Governor in Council shall direct: Now therefore His Excellency the Governor, by and with the advice of the Executive Council, doth by this present order direct that the first general election of members of the said board in every mining district shall take place on the last Saturday in the month of February next.

And the Honorable William Clark Haines, Her Majesty's Chief Secretary for Victoria, shall give the necessary directions herein accordingly.

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

## MEETINGS OF MINING BOARDS.

At the Government House, Melbourne, the eleventh day of January, 1858.

PRESENT:

His Excellency the Governor	
Major-General Macarthur	Mr. Moore
Mr. Haines	Mr. Fellows
Mr. Michie	Mr. Mitchell
Mr. Strachan	

WHEREAS by an Act passed in the twenty-first year of the Reign of Her present Majesty, intituled, "An Act for amending the Laws relative to the Gold Fields," it is enacted that within and for every mining district there shall be a Mining Board, which shall consist of ten members, to be elected as thereafter mentioned, and such board shall meet for the despatch of business at such place or places within the said district as the Governor in Council shall appoint: Now therefore His Excellency the Governor, by and with the advice of the Executive Council, doth by this present order appoint that the mining boards of the several mining districts mentioned in the first column of the schedule hereunto annexed shall meet for the despatch of business at the places set opposite to them respectively in the last column of the same schedule, that is to say:—

Name of Mining District.	Place of Meeting.
Castlemaine ... ..	Castlemaine.
Beechworth ... ..	Beechworth.
Maryborough ... ..	Maryborough.
Ararat ... ..	Ararat.
Ballaarat ... ..	Ballaarat.
Sandhurst ... ..	Sandhurst.

And the Honorable William Clark Haines, Her Majesty's Chief Secretary for Victoria, shall give the necessary directions herein accordingly.

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

## POLLING PLACES FOR MINING BOARDS.

At the Government House, Melbourne, the eleventh day of January, 1858.

PRESENT:

His Excellency the Governor	
Major-General Macarthur	Mr. Moore
Mr. Haines	Mr. Fellows
Mr. Michie	Mr. Mitchell
Mr. Strachan	

WHEREAS by an Act passed in the twenty-first year of the Reign of Her present Majesty, intituled, "An Act for amending the Laws relative to the Gold Fields," it is enacted that a poll shall be taken for the election of members for each division of every mining district, at such places within such division as the Governor in Council shall from time to time direct, and every poll shall commence at Nine o'clock in the forenoon, and close at Five o'clock in the afternoon, and shall be taken in such buildings as the Returning Officer shall select: Now therefore His Excellency the Governor, by and with the advice of the Executive Council, doth by this present order direct that the poll shall be taken for the said elections at the several places named in the last column of the schedule hereunto annexed within and for the divisions respectively set

opposite thereto in the second column of the same schedule, that is to say:—

Districts.	Divisions.	Polling Places.
Castlemaine	Castlemaine ...	Castlemaine.
	Fryer's Creek ...	Fryer's Creek.
	Tarrangower ...	Maldon.
	Hepburn ...	Hepburn.
	Taradale ...	Taradale.
Sandhurst	St. Andrew's ...	Anderson's Creek.
	Sandhurst ...	Sandhurst, Eaglehawk, and Epsom.
	Heathcote ...	Heathcote.
	Waranga ...	Rushworth.
Ararat ...	Kilmore ...	Kilmore.
	Ararat ...	Ararat, and Campbell's Rush.
	Pleasant Creek ...	Pleasant Creek.
Maryborough	Raglan ...	Raglan.
	Korong ...	Korong, and Kooyoor.
	Dunolly ...	Dunolly.
	Maryborough ...	Maryborough.
	Amberst ...	Amberst.
Ballaarat ...	Avoca ...	Avoca, and St. Arnaud.
	Ballaarat ...	Ballaarat, east and west.
	Buninyong ...	Buninyong.
	Creswick ...	Creswick.
	Smyth's Creek ...	Smyth's Creek.
Beechworth	Blackwood ...	Blackwood.
	Steiglitz ...	Steiglitz.
	Spring Creek ...	Spring Creek.
	Snake Valley ...	Snake Valley, and Lower Nine-mile.
	Three-mile Creek ...	Three-mile Creek, and Quartz Reef.
	Buckland ...	Buckland and Porepunka.
	Woolshed ...	Woolshed.
	Yackandandah ...	Yackandandah.
	Omeo ...	Omeo.

And the Honorable William Clark Haines, Her Majesty's Chief Secretary for Victoria, shall give the necessary directions herein accordingly.

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

## APPOINTMENT OF CIRCUIT COURTS.

At the Government House, Melbourne, the seventh day of January, 1858.

PRESENT:

His Excellency the Governor	
Major-General Macarthur	Mr. Moore
Mr. Haines	Mr. Fellows
Mr. Ebden	Mr. Mitchell
Mr. Strachan	

WHEREAS by an Act passed in the fifteenth year of the Reign of Her present Majesty, intituled "An Act to make provision for the better administration of Justice in the Colony of Victoria," it is lawful for the Governor by any orders to be by him, with the advice of the Executive Council, from time to time made and proclaimed, to define the times at which circuit courts shall be holden, and the said times to alter and vary as he shall, with the advice aforesaid, deem necessary: And whereas it is expedient to alter and vary the times at which the said courts are now holden: Now therefore His Excellency the Governor, by and with the advice of the Executive Council, doth by this present Order alter and vary the times at which the said courts are now holden, and define and direct that the times at which circuit courts shall be holden at the several places hereinafter mentioned shall be as follows (that is to say):—At BALLAARAT on the tenth day of February, the seventeenth day of June, and the seventeenth day of October in every year; at BEECHWORTH on the twenty-fifth day of March, the twentieth day of July, and the first day of December in every year; at CASTLEMAINE on the nineteenth day of February, the twenty-sixth day of June, and the twenty-sixth day of October in every year; at GEELONG on the first day of February, the eighth day of June, and the eighth day of October in every year; at PORTLAND on the twenty-third day of April in every year; and at SANDHURST on the twenty-eighth day of February, the fifth day of July, and the fourth day of November in every year: Provided always that when any of the said days shall happen to fall upon any Sunday or Good Friday, the day next following shall be the day on which the said courts shall be holden.

And the Honorable Archibald Michie, Her Majesty's Attorney General for Victoria, shall give the necessary directions herein accordingly.

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

## APPOINTMENT OF GENERAL SESSIONS.

## PROCLAMATION

By His Excellency Sir HENRY BARKLY, Knight Commander of the Most Honorable Order of the Bath, Captain-General and Governor-in-Chief of the colony of Victoria, and Vice-Admiral of the same, &c., &c., &c.

WHEREAS by an Act passed in the sixteenth year of the Reign of Her present Majesty, intituled "An Act to make provision for the better administration of Justice in Courts of General Sessions in the Colony of Victoria," it is lawful for the Governor from time to time to define and appoint by Proclamation the times at which such courts shall be holden, and such times to alter and vary as the said Governor shall think fit: And whereas it is expedient to alter and vary the times at which the said courts are now holden: Now therefore I, the Governor aforesaid, do hereby alter and vary the times at which the said courts are now holden, and do proclaim and appoint that the times at which the courts of general sessions shall be holden at the several places hereinafter mentioned shall be as follows (that is to say):—At ALBERTON on the first day of March and the first day of September in every year; at BALLARAT on the tenth day of April, the seventeenth day of August, and the sixth day of December in every year; at BEECHWORTH on the thirty-first day of January, the twenty-fifth day of May, and the tenth day of October in every year; at BELFAST on the sixteenth day of February, the twelfth day of May, the sixteenth day of July, and the seventh day of November in every year; at CARISBROOK on the second day of February, the first day of May, the fifth day of August, and the fifth day of November in every year; at CASTLEMAINE on the nineteenth day of April, the twenty-sixth day of August, and the ninth day of December in every year; at GEELONG on the seventh day of April, the eighth day of August, and the first day of November in every year; at HAMILTON on the twenty-fifth day of May and the twenty-fifth day of November in every year; at KILMORE on the eighteenth day of January, the twelfth day of April, the eighteenth day of July, and the twenty-second day of October in every year; at KYNETON on the twentieth day of February, the tenth day of May, the twentieth day of August, and the twentieth day of November in every year; at MELBOURNE on the first day of every month except January in every year; at PORTLAND on the tenth day of February, the tenth day of July, and the thirteenth day of November in every year; at SANDHURST on the twenty-eighth day of April, the twenty-eighth day of August, and the fifteenth day of December in every year; and at WARMAMBOOL on the twentieth day of February, the seventh day of May, the twentieth day of July, and the second day of November in every year: Provided always that when any of the said days shall happen to fall upon any Sunday or Good Friday, the day next following shall be the day on which the said court shall be holden: Provided lastly that this Proclamation and Appointment shall operate and take effect as to the several places aforesaid respectively from and after the time at which the next Circuit Court or Court of General Sessions as the case may be shall be holden in such places respectively.

Given under my Hand and the Seal of the Colony, at Melbourne, this eighth day of January, in the year of Our Lord One thousand eight hundred and fifty-eight, and in the twenty-first year of Her Majesty's Reign.

(L.S.)

HENRY BARKLY.

By His Excellency's Command,

THO. HOWARD FELLOWS.

GOD SAVE THE QUEEN!

## APPOINTMENT OF COUNTY COURTS.

At the Government House, Melbourne, the seventh day of January, 1858.

PRESENT:

His Excellency the Governor

Major-General Macarthur	Mr. Moore
Mr. Haines	Mr. Fellows
Mr. Ebdon	Mr. Mitchell
Mr. Strachan	

WHEREAS by an Act passed in the twenty-first year of the reign of Her present Majesty, intituled "An Act for the more easy Recovery of certain Debts and Demands," it is enacted that it shall be lawful for the Governor, with the advice of the Executive Council, to direct that county courts shall be holden for the recovery of debts and demands under the said Act, and from time to time, with the advice aforesaid, to direct in what towns and places a county court shall be holden, and that the judge of each court holden under the said Act shall attend and hold such court at the place where the Governor, with the advice aforesaid, shall have directed that such court shall be holden at such times as such judge shall appoint for that purpose, so that a court shall be holden in such place once at least in such interval as the Governor, with the advice aforesaid, shall in each case direct: Now therefore His Excellency the Governor, by and with the advice of the Executive Council, doth by this present order direct that county courts shall be holden for the recovery of debts and

demands under the said Act, in the places and intervals following (that is to say):—

In Melbourne, once at least in every calendar month.  
In Geelong, Beechworth, Sandhurst, Castlemaine, Ararat, Pleasant Creek, Ballarat, and Creswick respectively, once at least in every two calendar months.  
In Buckland, Heathcote, Kilmore, Carisbrook, Dunolly, Maryborough, Avoca, Kyneton, Hepburn, and Raglan respectively, once at least in every three calendar months.  
In Belfast, Portland, and Warmambool respectively, once at least in every four calendar months.  
In Alberton, Colac, Sale, Benalla, and Hamilton respectively, once at least in every six calendar months.  
And the Honorable Archibald Michie, Her Majesty's Attorney General for Victoria, shall give the necessary directions herein accordingly.

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

## APPOINTMENT OF COURTS OF MINES.

At the Government House, Melbourne, the seventh day of January, 1858.

PRESENT:

His Excellency the Governor

Major-General Macarthur	Mr. Moore
Mr. Haines	Mr. Mitchell
Mr. Ebdon	Mr. Fellows
Mr. Strachan	

WHEREAS by an Act passed in the twenty-first year of the reign of Her present Majesty, intituled "An Act for amending the laws relative to the Gold Fields," it is enacted that within and for every mining district there shall be a court to be called "The Court of Mines," and that such court shall be holden at such intervals and at such places within such district as the Governor in Council shall from time to time direct: Now therefore His Excellency the Governor, by and with the advice of the Executive Council, doth by this present Order direct that the said court shall be holden at the intervals and places following (that is to say):—

Within and for the mining district of Beechworth, at Beechworth and Yackandandah respectively, once at least in every two calendar months; at Woolshed and Buckland respectively, once at least in every three calendar months; and at Omeo, once at least in every six calendar months.

Within and for the mining district of Sandhurst, at Sandhurst, once at least in every two calendar months; at Heathcote, Waranga, and Kilmore respectively, once at least in every three calendar months.

Within and for the mining district of Castlemaine, at Castlemaine, once at least in every two calendar months; at Hepburn, Maldon, Fryerstown and Taradale respectively, once at least in every three calendar months; and at St. Andrew's, once at least in every six calendar months.

Within and for the mining district of Maryborough, at Maryborough, Dunolly, Avoca, Amherst, Carisbrook and Korong respectively, once at least in every three calendar months.

Within and for the mining district of Ballarat, at Ballarat, Creswick, Buninyong and Smythe's Creek respectively, once at least in every two calendar months; at Mount Egerton and Mount Blackwood respectively, once at least in every three calendar months; and at Steiglitz, once at least in every four calendar months.

Within and for the mining district of Ararat, at Ararat and Pleasant Creek respectively, once at least in every two calendar months; and at Raglan, once at least in every three calendar months.

And the Honorable Archibald Michie, Her Majesty's Attorney General for Victoria, shall give the necessary directions herein accordingly.

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

## FEES IN COUNTY COURTS.

At the Government House, Melbourne, the seventh day of January, 1858.

PRESENT:

His Excellency the Governor

Major-General Macarthur	Mr. Moore
Mr. Haines	Mr. Fellows
Mr. Ebdon	Mr. Mitchell
Mr. Strachan	

WHEREAS by two Acts passed in the twenty-first year of the Reign of Her present Majesty, intituled respectively "An Act for regulating Juries," and "An Act for the more easy recovery of certain Debts and Demands," the fees mentioned in the first schedule hereunto annexed are made payable: And whereas by the said last mentioned Act it is enacted that there shall be payable, on every proceeding in the courts holden under the said last mentioned Act, to the clerks of the said courts, such fees as should be allowed in the manner next hereinafter mentioned, and that it should be lawful for the Governor, with the advice of the Executive Council, to direct what amount of fees should be taken in the said courts, and such

fees might be regulated by way of percentage on the amount of the demand: Now therefore His Excellency the Governor, by and with the advice of the Executive Council, doth by this present Order direct that the amount of fees mentioned in the last schedule hereunto annexed shall be taken in the said courts, and that in calculating the same every fraction of a pound or mile shall be taken as an entire pound or mile.

And the Honorable Archibald Michie, Her Majesty's Attorney General for Victoria, shall give the necessary directions herein accordingly.

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

THE FIRST SCHEDULE.

For a certificate under 21 Victoria No. 29, sect. 62 ... } FIVE SHILLINGS.  
For Fees where assessors are required; 21 Victoria No. 19, sect. 20 ... } TWO POUNDS.

THE LAST SCHEDULE.

For Summons to answer a plaint, for every pound of the amount claimed (sect. 28) ... } SIXPENCE.  
For summonses not mentioned in the Act... } TWO SHILLINGS.  
Other summonses in addition to the bailiff's fees, where bailiff is required to serve ... } FIVE SHILLINGS.  
On giving clerk notice of special defence... } TWO SHILLINGS.  
On giving clerk notice for assessors... } ONE POUND.  
For notice on payment into court in addition to the bailiff's fees for serving it (sect. 44) ... } TWO SHILLINGS.  
For every new trial ... } TEN SHILLINGS.  
For every adjournment of a trial ... } FIVE SHILLINGS.  
For warrant of execution for every pound of the amount to be levied, in addition to the bailiff's fees (sect. 53) ... } THREEPENCE.  
For warrant of commitment in addition to the bailiff's fees for executing it (sects. 54 and 58) ... } FIVE SHILLINGS.  
For certificate of payment (sect. 59) ... } TWO SHILLINGS.  
For order of commitment (sect. 56 or 57) ... } ONE POUND.  
For order of discharge (sect. 61) ... } TWO SHILLINGS.  
For every order not otherwise provided for ... } ONE SHILLING.  
For taking bond or security ... } TEN SHILLINGS.  
For every search ... } ONE SHILLING.  
For sealing every affidavit ... } ONE SHILLING.  
For taxation under sect. 49 ... } TEN SHILLINGS.  
To bailiff for executing warrant against goods if the distance from the Court House does not exceed five miles... } ONE POUND.  
If beyond that distance, per additional mile ... } TWO SHILLINGS.  
For man left in possession, per day... } TEN SHILLINGS.  
To bailiff for an arrest not exceeding a mile from the Court House ... } FIFTEEN SHILLINGS.  
Not exceeding seven miles from the same place ... } ONE POUND.  
Exceeding seven miles therefrom ... } THIRTY SHILLINGS.  
For conveying the debtor to gaol, per mile... } TWO SHILLINGS.  
For serving any order or summons, &c., or any notice of payment into Court within two miles of the Court House ... } TWO SHILLINGS.  
Exceeding two miles therefrom, per mile ... } TWO SHILLINGS.  
For receiving money on arrest and paying it into court ... } TEN SHILLINGS.

FEEES IN COURTS OF MINES.

At the Government House, Melbourne, the seventh day of January, 1858.

PRESENT:

His Excellency the Governor

Major-General Macarthur | Mr. Moore  
Mr. Haines | Mr. Fellows  
Mr. Ebden | Mr. Mitchell  
Mr. Strachan

WHEREAS by an Act passed in the twenty-first year of the Reign of Her present Majesty, intituled "An Act for amending the Laws relative to the Gold Fields," the fees mentioned in the first schedule hereunto annexed are made payable and it is enacted that there shall be payable, on every proceeding in the courts holden under the said Act, to the clerks of the said courts, such fees as should be allowed in the manner next hereinafter mentioned, and that it should be lawful for the Governor in council, to direct what amount of fees should be taken in the said courts, and such fees might be regulated by way of percentage on the amount or value of the demand: Now therefore His Excellency the Governor, by and with the advice of the Executive Council, doth by this present Order direct that the amount of fees mentioned in the last schedule hereunto annexed shall be taken in the said courts, and that in calculating the same every fraction of a pound or mile shall be taken as an entire pound or mile.

And the Honorable Archibald Michie, Her Majesty's Attorney General for Victoria, shall give the necessary directions herein accordingly

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

THE FIRST SCHEDULE.

For fees to assessors under sect. 32 ... } THREE POUNDS.  
For similar fees under sect. 64 ... } THREE POUNDS.

THE LAST SCHEDULE.

For summons to answer a plaint, for every pound of the amount claimed up to £250 (sect. 29) ... } SIXPENCE.  
For similar summons for every pound (over £250) of the amount claimed, an additional ... } ONE PENNY.  
For summonses not mentioned in the Act... } TWO SHILLINGS.  
Other summonses in addition to the bailiff's fees, where bailiff is required to serve ... } FIVE SHILLINGS.  
For notice on payment into court in addition to the bailiff's fees for serving it (sect. 30) ... } TWO SHILLINGS.  
On requiring trial by assessors, in addition to assessor's fees in sect. 32 ... } ONE POUND.  
For every re-hearing ... } TEN SHILLINGS.  
For every adjournment of hearing ... } FIVE SHILLINGS.  
For sealing affidavit for injunction (to be charged on one only) (sect. 53) ... } ONE POUND.  
For sealing every other affidavit ... } ONE SHILLING.  
For order under sect. 54 or 55 ... } FIVE SHILLINGS.  
For order under sect. 56 ... } TWO SHILLINGS.  
For order of commitment (sects. 45 and 46)... } ONE POUND.  
For order of discharge (sect. 50 or 52) ... } TWO SHILLINGS.  
For every order not otherwise provided for ... } ONE SHILLING.  
For taxation under sect. 64 ... } TEN SHILLINGS.  
For warrant of execution for every pound of the amount to be levied, in addition to the bailiff's fees (sect. 41) ... } THREEPENCE.  
For warrant of commitment in addition to the bailiff's fees for executing it (sects. 43 and 45) ... } FIVE SHILLINGS.  
For certificate of payment (sect. 48) ... } TWO SHILLINGS.  
For taking bond or security ... } TEN SHILLINGS.  
For every search ... } ONE SHILLING.  
To bailiff for executing warrant against goods if the distance from the Court House does not exceed five miles ... } ONE POUND.  
If beyond that distance, per additional mile ... } TWO SHILLINGS.  
For man left in possession, per day... } TEN SHILLINGS.  
To bailiff for certificate (under sect. 42) ... } TEN SHILLINGS.  
To bailiff for an arrest not exceeding a mile from the Court House ... } FIFTEEN SHILLINGS.  
Not exceeding seven miles from the same place ... } ONE POUND.  
Exceeding seven miles therefrom ... } THIRTY SHILLINGS.  
For conveying the debtor to gaol, per mile... } TWO SHILLINGS.  
To bailiff for summoning assessors ... } TEN SHILLINGS.  
For serving any summons, order or decree, &c., or any notice of payment into Court within two miles of the Court House ... } TWO SHILLINGS.  
Exceeding two miles therefrom, per mile ... } TWO SHILLINGS.  
For receiving money on arrest and paying it into court ... } TEN SHILLINGS.

PRACTICE OF THE COUNTY COURTS.

WHEREAS by an Act passed in the twenty-first year of the reign of Her present Majesty, intituled, "An Act for the more easy recovery of certain Debts and Demands," it is enacted that it shall be lawful for the several persons who for the time being shall be Attorney General, Solicitor General and County Court Judges, or any three of whom the said Attorney or Solicitor shall be one from time to time, to frame such general rules as to them shall seem expedient for and concerning the practice and proceedings of the courts holden under the said Act, and for the execution of process of such courts, and in relation to any of the provisions of the said Act as to which there might arise doubts, and also to frame forms for every matter or proceeding in the said courts for which they should think it necessary that a form should be provided, and also for keeping all books, entries, and accounts, to be kept by the clerks of the said courts, and for and concerning the fees to be paid to barristers and attorneys practising in the said courts, and the expenses to be paid to witnesses in the said courts: Now, therefore, in pursuance of the provisions hereinbefore recited, we do frame the general rules and forms hereinafter set forth (that is to say):—

PLAINT NOTE.

1. At the time of entering the plaint, the clerk of the court shall give to the plaintiff or his attorney a note under his hand and the seal of the court.

SUMMONS ON A PLAINT.

2. Every summons issued on a plaint under the said Act and every copy thereof must have annexed thereto particulars of the cause of action or demand with dates and items unless the same shall exceed three folios, in which case it must be so stated and be made clear to the court that such particulars have been previously served upon the defendant.

3. Every such summons and copy must be signed and sealed or stamped as an original, and be returnable either on the first day of the court's sitting next after the commence-

ment of the suit, or on the first day of any subsequent sitting within three calendar months, and be served fourteen and filed as served ten clear days before such return.

4. In order to secure the due service upon the plaintiff of all notices, the trade, business, or profession of the plaintiff, as well as his address by the post, and also the surname and place of business of his attorney (if any) in the suit must be stated at the foot of every such summons, but the omission of such statement shall not invalidate the proceedings, or be deemed an irregularity.

5. Every such summons may be served personally, or at the dwelling of the defendant upon any inmate of years of discretion, or at the place of business of the defendant upon his servant or agent there employed.

6. Every such summons issued against a corporation aggregate may be served on the mayor or other head officer, or on the town clerk, treasurer, clerk, or secretary of such corporation.

7. Service of every such summons may by leave of the judge be substituted according to the discretion of the judge.

8. An affidavit of service must be endorsed on the back of such summons describing how the same has been served, and no cause shall be set down for trial or if so set down called on without such endorsement unless service be admitted.

9. If any dispute shall arise, or the judge shall entertain any doubt, as to the due service of any summons, the judge shall be at liberty to examine witnesses, and to decide whether such service has been good or otherwise, and either proceed to trial or adjourn the hearing of the cause as he shall think fit.

10. Where a summons on a plaint has not been served by the bailiff in any case in which the bailiff may have been required to serve the same, a fresh summons on a plaint may upon the order of the judge be issued without payment of any fee for such summons, except the bailiff's fee where such fresh summons is required to be served by the bailiff and the bailiff shall not have been guilty of any neglect, in which case he shall serve such fresh summons without any further fee.

#### SPECIAL DEFENCES.

11. All notices of special defences shall be given five clear days before the summons on the plaint is returnable, and where such notice is given by the post it shall be posted in such time as that, in the ordinary course of the post, it could reach its destination five clear days before such summons is returnable.

12. Every notice of special defence in the nature of set-off, and every copy thereof, must have annexed thereto particulars of set-off, with dates and items, unless the same shall exceed three folios, in which case it must be so stated, and be made clear to the court that such particulars have been previously served upon the plaintiff.

13. The defendant shall have liberty at the hearing to abandon his set-off on terms, in case he does not give evidence in support thereof, and in that case such set-off shall be erased from the Register, and a "remark" to that effect shall be made and signed by the Judge in the said Register.

#### PAYMENT INTO AND OUT OF COURT.

14. Payment of money into court in order to exempt the defendant from any further liability after such payment, must be made six clear days before the summons is returnable.

15. Payment into court shall in no case be taken to admit the cause of action.

16. No money shall be taken out of court by the plaintiff unless on filing the plaint note, or by the defendant unless on filing the summons on the plaint, except by order of the judge.

17. Payment out of court to any person producing and filing such note, summons, or order shall be sufficient.

#### ASSESSORS.

18. Notice that assessors are required shall be given to the opposite party three clear days before the return day of the summons, and to the clerk ten clear days before such return day, in order that he may comply with 21 Vict. No. 19, s. 21, and 21 Vict. No. 29, s. 32.

19. When the plaintiff requires assessors to try the action, he may insert on the summons the words "For trial by assessors;" and in that case no further notice to the defendant shall be necessary.

20. When the defendant requires assessors to try the action, he may insert on the notice of his special defence (if any) the words "For trial by assessors;" and in that case no further notice to the plaintiff shall be necessary.

21. In any case when no demand of assessors has been made and the judge on application or otherwise thinks the cause proper to be tried by assessors, he shall direct the said cause to be placed in the list of jury cases, and it shall be tried by assessors accordingly.

22. When the judge, of his own motion, shall have required any cause to be tried by assessors, the assessors' fee is to be added to the costs of the successful party.

23. The judge may in all cases in which he is authorised to require assessors give general instructions (in writing under his hand) to the clerk, to issue a precept for a jury in any description of action which he may think fit to particularize, and in that case the clerk shall after the summons is filed with him as served issue a jury precept accordingly.

24. If in any case there shall be a difference of opinion between the assessors, and the judge shall be unable to agree in a verdict with either of them, the cause shall be a remanet

for the next sitting of the court, and each party shall pay his own costs of the abortive trial.

#### WITNESSES.

25. A summons to witnesses, and every copy thereof, must be signed and sealed or stamped as an original.

26. Office copies of depositions taken under 21 Vict. No. 8 s. 26 and s. 32, from the office of the prothonotary of the Supreme Court, may be read as evidence in the cause.

27. After any witness is sworn and before he gives any evidence the judge shall ascertain the amount which such witness is entitled to receive according to the scale of allowances hereinafter provided, and also the distance which he lived from the court house at the time of his being served with the summons.

#### HEARING OF CAUSES AND ORDER OF BUSINESS.

28. All county courts shall be opened at such hour, not earlier than Nine o'clock a.m., as the judge shall direct, and close as soon after Four o'clock p.m. as the cause then being heard shall be ended, unless some special circumstances shall induce the judge then presiding to extend the sitting to a later period of the day.

29. It shall be the duty of the clerk to make lists of all causes for hearing under the following classification, and to affix such lists on the court house and in some conspicuous part of his office two clear days before such hearing:—

- |                                      |                              |
|--------------------------------------|------------------------------|
| 1. All causes under £20              | } If for trial by the Judge. |
| 2. All causes over £20 and under £50 |                              |
| 3. All causes over £50               |                              |

4. All jury causes to be tried by assessors.

30. All causes shall be heard in the order in which they stand in the list, unless in case of urgency when on application to the court on notice the judge may prefer or postpone the hearing of a cause if he shall think fit.

31. The party who begins, or his counsel or attorney, shall be allowed, in the event of his opponent not announcing at the close of the case of the party who begins his intention to adduce evidence, to address the assessors a second time at the close of such case for the purpose of summing-up the evidence, and the party on the other side, or his counsel or attorney, shall be allowed to open the case and also to sum-up the evidence, if any, and the right to reply shall be the same as at present.

#### RESERVED POINTS AND NEW TRIAL, OR OTHER MATTERS AFFECTING VERDICT.

32. The judge shall have liberty to reserve all points of law which he shall think fit for further discussion.

33. Such points shall be argued on a day to be named for that purpose by the judge, notice whereof, with the names of the causes, shall be fixed by the clerk in the court-house and in some conspicuous part of his office.

34. No argument on law points reserved shall be heard or applications for new trials be made unless on notice, and such notice must state concisely the grounds of motion.

35. Every such notice must be served upon the opposite party or his attorney within one day after the hearing of the cause to which it relates, or (if such hearing shall have been had upon the last day of the sittings) before ten o'clock in the forenoon of the day after such hearing.

#### COMPUTATION OF TIME.

36. In all cases in which any particular number of days, not expressed to be clear days, is prescribed by these rules or by the practice of the court the same shall be reckoned exclusively of the first day and inclusively of the last day, unless the last day shall fall on a Sunday or holiday, in which case the time shall be reckoned exclusively of that day also.

#### TRUSTEES, ASSIGNEES, EXECUTORS, ETC.

37. In suits by or against assignees of an insolvent or bankrupt, or executors or administrators, or trustees, or persons authorised by Act of Parliament or Council to sue or be sued as nominal parties, the character in which the plaintiff or defendant is stated in the summons to sue or be sued shall be taken to be admitted unless denied by notice served on the opposite party in like manner as is provided in case of special defences.

#### CLERK'S DUTY.

38. The clerk of every court held under this Act shall have the custody of the seal and in addition to the ledger, register, and journal required by 21 Vict. No. 29, shall keep a cost-book wherein he shall inscribe the number and name of each cause as it is heard, and the amount allowed to each witness, together with the name of such witness, and also the amount of costs allowed to the party, and the said clerk shall ascertain the total amount of such expenses and costs and enter the same in such book.

#### DISCONTINUANCE.

39. The plaintiff may discontinue his proceedings at any time by giving notice in writing of his intention to the defendant, and thereupon the defendant may proceed for his costs.

#### EXECUTION AFTER A YEAR.

40. No execution shall be issued after the expiration of one year from the day of trial or the time, if any, limited for payment of the sum recovered, except upon a judge's summons to show cause.

**BAILIFFS DUTY.**

41. Whenever the bailiff shall not attend any sitting of the court the cause of his absence shall be entered on the minutes of the next succeeding court.

42. The bailiff shall attend for the purpose of receiving summonses, or for the performance of other duties, at the office of the clerk, once every day unless the judge shall otherwise order.

43. The bailiff shall enter in a book to be kept by him for that purpose, the particulars of all orders for the payment of money or costs, or both, which he shall have received, and of the mode in which he shall have served the same; and once in every calendar month, at least, he shall lay the same before the judge, who shall sign the same and attest its having been duly laid before him.

44. Once in every calendar month, or oftener if the judge shall so order, the bailiff shall deliver a return to the clerk of the court, of what shall have been done since the last return under every process of execution or commitment which he has been required to execute, and at the court held next after the delivery of every such return, the clerk shall lay the same before the judge, who shall sign the same and attest its having been duly laid before him.

45. Every bailiff levying or receiving any money by virtue of any process, shall, within twenty-four hours from the receipt thereof, pay over the same to the clerk of such court, and shall deliver such process to the clerk, who shall file the same.

**JUDGE'S SUMMONS.**

46. Any party to a suit may be summoned before the judge of the court to show cause why the application contained or set out in the summons should not be granted.

47. No summons shall be issued by the clerk of the court to either party, unless an affidavit setting out the grounds of the application shall be filed, and such affidavit must remain as a record in the court.

48. Copies of affidavits intended to be used on the hearing of any judge's summons must be served on the opposite party before being used, and an order made upon affidavits shall be considered a nullity unless the affidavits used by the party obtaining the order be filed.

**AFFIDAVITS.**

49. Every affidavit intended to be used in court or before a judge, shall be entitled in the cause, and bear the number of the plaint (if any), and shall before the same is so used be sealed or stamped by the clerk with the seal of such court.

50. Every affidavit used in court shall be delivered to and filed by the clerk, and every affidavit used before the judge out of court shall be delivered to and retained by the judge till the next court day when it shall be deposited with and filed by the clerk.

51. The addition and true place of abode of every person making an affidavit shall be inserted therein, and in every affidavit made by two or more deponents, the names of the several persons making such affidavit shall be written in the several persons making such affidavit shall be written in the jurat, and no affidavit shall be read or made use of in court or before the judge in the jurat of which there is any interlineation or erasure.

52. When any affidavit is sworn by any person who from his or her signature appears to be illiterate, the person taking such affidavit shall certify or state in the jurat that the affidavit was read in his presence to the party, making the same, and that such party seemed perfectly to understand the same, and also that the said party wrote his or her mark or signature in the presence of the person taking such affidavit.

**FILE OF PAPERS.**

53. All summonses on plaints and all warrants returned to the court, together with all other summonses, affidavits, papers, documents, or process relating to any plaint, shall be filed by the clerk under and in accordance with the number of such plaint.

**COSTS, FEES AND EXPENSES.**

54. The fees to be paid to barristers and attorneys practising in the county courts, and the expenses to be paid to witnesses in the said courts shall be those set forth in the first schedule hereunto annexed.

55. In calculating the said fees the amount sued for shall, where the defendant succeeds, regulate the amount, and where the plaintiff succeeds the amount recovered shall regulate it.

56. Where the said Act or these rules require or allow anything to be done upon payment of costs, or upon such terms whether as to payment of costs or otherwise as the judge or court shall think fit, the amount of such costs shall be ascertained and fixed by the judge in each particular case without any other taxation.

**BARRISTERS AND ATTORNEYS.**

57. No attorney shall be allowed to appear for any person in any county court until he has signed a roll or book to be kept by the clerk for that purpose.

58. The judge of any county court, upon sufficient cause, shall have power to strike the name of any attorney from the said roll or book; in which case he shall be disqualified from practising in such court.

59. The judge of any such court, upon sufficient cause, shall have power to prevent any barrister or attorney from

practising in such court for any period which the judge may think fit.

60. Any person who shall attempt to practise in any such court in defiance of either of the two preceding rules, shall be deemed to have wilfully interrupted the proceedings of such court, and be guilty of a contempt accordingly.

**FORMS.**

61. The several forms set forth in the last schedule hereunto annexed may be used and shall be sufficient in all cases to which the same are applicable.

62. In any case for which a form is not provided by the said Act or by these rules, any form which is so provided may *mutatis mutandis* be adapted to and shall be sufficient for such case.

**THE FIRST SCHEDULE.**

**FEES TO BARRISTERS AND ATTORNEYS.**

	Under £20.		Under £50.		Under £100.		Over £100.		
	£	s. d.	£	s. d.	£	s. d.	£	s. d.	
<i>Trial.</i>									
To attorney for taking instructions, letter before action, entering plaint, issuing summonses, and giving notice of special defence .. .. .	0	10	0	1	0	0	2	0	0
Obtaining summonses for witnesses	0	3	4	0	6	8	0	10	0
Preparing brief (if any) .. .. .	1	0	0	1	0	0	2	0	0
Attending trial .. .. .	0	10	0	1	0	0	1	10	0
For every day the cause is in the list before trial .. .. .	0	5	0	0	10	0	0	15	0
Attorney's clerk's fee where there is a trial .. .. .	0	2	6	0	5	0	0	7	6
Counsel's fee .. .. .	1	3	6	2	4	6	3	5	6
Service of summonses, notice, or order, &c., the same as is or shall be allowed to the bailiff for such service.									
<i>Interlocutory Proceedings.</i>									
Motions, or attendance on counsel or judge, or taking examinations <i>de bene esse</i> , including preparation of affidavit .. .. .	0	10	0	1	0	0	1	10	0
Counsel's fee .. .. .									

**EXPENSES TO WITNESSES.**

	If resident at place of trial.		If resident at any other place.	
	£	s. d.	£	s. d.
Laborers and other common witnesses, <i>per diem</i> .. .. .	0	7	6	0
Mechanics and clerks, <i>per diem</i> .. .. .	0	10	0	15
Engineers, surveyors, notaries, auctioneers, and accountants, <i>per diem</i> .. .. .	2	2	0	3
Master tradesmen, yeomen, and farmers, <i>per diem</i> .. .. .	0	10	6	0
Gentlemen esquires, bankers, and merchants, with their summonses .. .. .	1	1	0	0
To the same class (after the first day), <i>per diem</i> .. .. .	0	5	0	1
Females according to their station, but not to exceed <i>per diem</i> .. .. .	0	10	0	15
Police inspector, <i>per diem</i> .. .. .	0	7	6	0
Constables, <i>per diem</i> .. .. .	0	2	6	0
Professional men, <i>per diem</i> .. .. .	1	1	0	0
To the same, including all but travelling expenses, not to exceed <i>per diem</i> .. .. .	0	0	0	3
Travelling expenses, according to the sums reasonably and actually paid				
Witnesses attending in more than one cause will be entitled to a proportionate part only in each cause				

**THE LAST SCHEDULE.**

**PLAINT NOTE.**

In the County Court at  
 A.B., plaintiff, }  
 C.D., defendant, } Plaintiff No.

This note must be kept by the plaintiff or his attorney, and must be produced whenever required by the clerk of the court, and no money can be taken out of court at any stage of the cause unless on production hereof.

Dated this                      day of

A.B.,  
 Clerk of the Court.

**SUMMONS TO WITNESS.**

A.B., Plaintiff, }  
 C.D., Defendant, } Plaintiff No.

To  
 You are hereby severally required to appear personally at the County Court at                      on the                      day of                      at the hour of                      o'clock in the forenoon to give evidence on behalf of the abovenamed                      and then and there to produce

and all other books, papers, writings, and other documents relating to the said action which may be in your custody, possession, or power.

In default of such attendance you will be liable to be punished in a summary way for contempt, by fine and imprisonment and also to be sued for damages.

Given under my hand and the seal of the said court this                      day of                      18

O.P.  
 Clerk of the said Court.



COURT LEDGER.

	No. of Plaint.
	Amount claimed.
	Plaint Summons.
	Summons for Witnesses.
	Other Summonses.
	Notice of Special Defence.
	Notice for Assessors.
	Notice of Payment into Court.
	New Trial.
	Adjournment of Trial.
	Common Warrant of Execution.
	Warrant for Month's Imprisonment.
	Fraud Summons.
	Special Commitment.
	Certificate against Land.
	Order for Special Commitment.
	Certificate for Discharge.
	Order for Discharge.
	Other Orders.
	Bond or Security.
	Search.
	Affidavit.
	Taxation.
	Executing Warrant, not exceeding five miles.
	Executing Warrant, exceeding five miles.
	For Man left in possession.
	Arrest not exceeding one mile from Court House.
	Arrest not exceeding seven miles.
	Arrest exceeding seven miles.
	For conveying Prisoners to Gaol.
	Serving Order or Summons, &c., within two miles of Court House.
	Serving Order, &c., beyond two miles.
	Receiving money on arrest and paying into Court.
	Amount paid into Court.
	Fines received.
	Any other Monies received.
	TOTAL AMOUNT.
	Amounts paid to Receiver of Revenue.
	Time of such Payment.
	Authority to obtain Money out of Court to party.
	Authority to Bailiff to receive Fees.

COUNTY COURT

BAILIFF'S FEES.

LEDGER.

COURT JOURNAL.

	Date
	Hour of Court.
	Stages: Riding.
	Name of Deputy Judge, if any.
	Any Special Minutes directed to be made by Judge.
	No. of each Plaint entered this day.
	No. of Plaint in which any Summons issues.
	No. of Plaint in which Notice of Special Defence given.
	No. of Plaint in which Notice for Assessors given.
	No. of Plaint in which Money paid into Court.
	No. of Plaint on which Notice of Payment into Court given.
	No. of Plaint removed to Supreme Court by <i>certiorari</i> .
	No. of Plaint in which Cause struck out.
	No. of Plaint in which Cause heard.
	No. of Plaint in which Notice for New Trial given.
	No. of Plaint in which Hearing adjourned, and the reason.
	Adjournment Day.
	No. of Plaint in which Execution issued.
	No. of Plaint in which Notice of discontinuance given.
	No. of Plaint in which Commitment issued.
	No. of Plaint in which Order for Discharge made.
	No. of Plaint in which Certificate for Discharge.
	No. of Plaint in which Affidavits filed.
	To whom Process delivered for Service or Execution.
	No. of Plaint in which Bailiff returns Process.
	No. of Plaint in which Certificate against Land issued.
	Any Order, Motion, Application, Stip, or Proceeding, not indicated in any preceding column.

Date

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COUNTY COURT

JOURNAL.

Given under our hands this ninth day of January, One thousand eight hundred and fifty-eight.  
 THO. HOWARD FELLOWS,  
 ROBERT WILLIAMS POHLMAN,  
 J. G. FORBES,  
 JAMES LANGTON CLARKE,  
 M. F. MACBOY,  
 C. BRUCE SKINNER,  
 J. W. ROGERS.

## PRACTICE OF THE COURTS OF MINES.

WHEREAS by an Act passed in the twenty-first year of the Reign of Her present Majesty, intituled "An Act for amending the Laws relative to the Gold Fields," it is enacted that it shall be lawful for the several persons who for the time being shall be Attorney General, Solicitor General, and Judges of the Courts of Mines, or any four of them, of whom the said Attorney or Solicitor shall be one, from time to time to frame such general rules as to them shall seem expedient for and concerning the practice and proceedings of the courts holden under the said Act, either in their original or appellate jurisdiction, and for the execution of the process of such courts, and in relation to any of the provisions of the said Act which relate to the courts to be holden thereunder, and as to which there may arise any doubts; and also to frame forms for every matter or proceeding in the said courts for which they shall think it necessary that a form should be provided; and also for keeping all books, entries and accounts to be kept by the clerks of the said courts, and for and concerning the fees to be paid to barristers-at-law and attorneys practising in the said courts, and the expenses to be paid to witnesses in the said courts: Now therefore, in pursuance of the provisions hereinbefore recited, we do frame the general rules and forms hereinafter set forth, that is to say:—

## VALUATION ORDERS.

1. Orders for valuation under sec. vii., when filed, shall be duly entered in the Journal.

## REGISTRATION OF ORDERS AND DECREES.

2. The minute of every order and decree shall be approved by the judge making the same before it is entered by the clerk in the Register, and when so entered shall be signed by the judge with his name or initials.

## TRUSTEES, ASSIGNEES, EXECUTORS, ETC.

3. In suits by or against assignees of an insolvent or bankrupt, or executors or administrators, or trustees, or persons authorised by Act of Parliament or council to sue or be sued as nominal parties, the character in which the plaintiff or defendant is stated in the summons to sue or be sued shall be taken to be admitted unless denied by notice.

4. All such notices shall be given five clear days before the summons on the plaint is returnable, and where such notice is given by the post (as it may be) it shall be posted in such time as that, in the ordinary course of the post, it could reach its destination five clear days before such summons is returnable.

## PLAINT NOTE.

5. At the time of entering the plaint, the clerk of the court shall give to the plaintiff or his attorney a note under his hand and the seal of the court.

## SUMMONS ON PLAINT, ETC.

6. The plaint shall be entered and the summons shall issue from the court house nearest to the defendant's place of business or abode, or to the claim with reference to which the dispute arises; but if it be doubtful which court house is nearest to the defendant's place of business or abode, or to such claim, then no objection shall be sustainable under this rule.

7. Notwithstanding the preceding rule, the judge may in his discretion, upon application being made to him by the plaintiff *ex parte*, authorise the plaintiff to sue at any place where the court sits within the district.

8. Upon the application of either party, or in his own discretion, the judge may, if he shall see fit, direct the plaint to be heard at any place where the court sits within the district, although the plaint may not have been entered at that place.

9. If the defendant shall require further particulars of the demand, or of the relief sought under the plaint than are stated in the summons, he may take out a judge's summons calling on the plaintiff for such further particulars, and the judge shall thereon make such order as he shall see fit.

10. Every such summons and every copy thereof must be signed and sealed or stamped as an original, and be returnable at the place at which the plaint is entered either on the first day of the court's sitting next after the commencement of the suit, or on the first day of any subsequent sitting within three calendar months, and be served fourteen and filed as served ten clear days before such return.

11. In order to secure the due service upon the plaintiff of all notices, the trade, business, or profession of the plaintiff, as well as his address by the post, and also the surname and place of business of his attorney (if any) in the suit must be stated at the foot of every such summons, but the omission of such statement shall not invalidate the proceedings, or be deemed an irregularity.

12. Every such summons may be served personally, or at the dwelling or claim of the defendant upon any inmate of years of discretion, or at the place of business of the defendant upon his servant or agent there employed.

13. Service of every such summons may, by leave of the judge, be substituted, according to the discretion of the judge.

14. An affidavit of service must be endorsed on the back of such summons, describing how the same has been served, and no

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cause shall be set down for hearing, or if so set down called on without such endorsement unless service be admitted.

15. If any dispute shall arise, or the judge shall entertain any doubt as to the due service of any summons, the judge shall be at liberty to examine witnesses, and to decide whether such service has been good or otherwise, and either proceed to hear or to adjourn the hearing of the cause as he shall think fit.

16. Where a summons on a plaint has not been served by the bailiff in any case in which the bailiff may have been required to serve the same, a fresh summons on a plaint may upon the order of the judge be issued without payment of any fee for such summons, except the bailiff's fee where such fresh summons is required to be served by the bailiff and the bailiff shall not have been guilty of any neglect, in which case he shall serve such fresh summons without any further fee.

## PAYMENT INTO AND OUT OF COURT.

17. Payment of money into court, in order to exempt the defendant from any further liability after such payment, must be made six clear days before the summons is returnable.

18. Payment into court shall in no case be taken to admit the cause of complaint.

19. No money shall be taken out of court by the plaintiff unless on filing the plaint note, or by the defendant unless on filing the summons on the plaint, except by order of the judge.

20. Payment out of court to any person producing and filing such note, summons, or order, shall be sufficient.

## ASSESSORS.

21. When the judge, of his own motion, shall have directed any issue to be tried by assessors, the assessors' fees are to be added to the costs of the successful party.

22. No issue shall be directed unless in the opinion of the judge the particular fact required to be so tried shall be material to the proper decision of the actual question in controversy.

23. Whenever an issue shall be required by either party, or shall be directed by the judge of his own motion, the judge shall either adjourn the hearing, or further hearing, as the case may be, of the suit, until after the trial or other determination of such issue, or proceed with the hearing and reserve his judgment until after such trial or determination.

24. Where a majority of the assessors, upon the trial of any issue, shall not agree upon their verdict before the expiration of six hours next after the time at which the case is left to them, they shall be discharged from giving any verdict, and another day shall thereupon be appointed as if no such trial had been commenced, and in that case each party shall pay his own costs of the abortive trial, and the party, if any, who shall have required such issue shall again pay the fees for the assessors, but nothing in this rule shall prevent such party from waiving his right to such issue.

25. Whenever the assessors shall have been discharged under the preceding rule, and the issue shall have been left to the determination of the judge alone, he shall decide such issue without any further evidence thereon, unless he shall think fit to require the same.

## WITNESSES.

26. A summons to witnesses, and every copy thereof, must be signed and sealed or stamped as an original.

27. After any witness is sworn, and before he gives any evidence, the judge shall ascertain the amount which such witness is entitled to receive according to the scale of allowances herein-after provided, and also the distance which he lived from the court house at the time of his being served with the summons.

## HEARING OF CAUSES AND ORDER OF BUSINESS.

28. All courts of mines shall be opened at such hour, not earlier than Nine o'clock a.m., as the judge shall direct, and close as soon after Four o'clock p.m. as the cause then being heard shall be ended, unless some special circumstances shall induce the judge then presiding to extend the sitting to a later period of the day.

29. It shall be the duty of the clerk to make lists of all causes, issues and appeals under the following classification, and to affix such lists in the court house, and in some conspicuous part of his office, two clear days before the same will be heard or tried.

1. All causes under £100.
2. All causes over £100 and under £500.
3. All causes over £500 and under £1000.
4. All causes over £1000.
5. All appeals.
6. All issues.

30. All causes, issues and appeals shall be heard in the order in which they stand in the list, unless in case of urgency, when on application to the court on notice the judge may prefer or postpone the hearing of any cause, issue or appeal, if he shall think fit.

31. The party who begins, or his counsel or attorney, shall be allowed, in the event of his opponent not announcing at the close of the case of the party who begins his intention to adduce evidence, to address the judge or assessors a second time at the close of such case for the purpose of summing up the evidence; and the party on the other side, or his counsel or attorney, shall be allowed to open the case and also to sum up the evidence, if any, and the right to reply shall be the same as at present.

**RE-HEARING AND NEW TRIAL.**

32. No application for a new trial of any issue or for the re-hearing of any cause shall be made unless on notice, and such notice must state concisely the grounds of motion.

33. Every such notice must be served upon the opposite party, or his attorney, within one day after the trial or hearing of the issue or cause to which it relates, or (if such trial or hearing shall have been had upon the last day of the sittings) before Ten o'clock in the forenoon of the day after such trial or hearing.

**INJUNCTION.**

34. A plaint shall be entered and summons issued before any application shall be made for an injunction, but such application may be made and injunction granted either before or after service of such summons.

35. An *ex parte* application for an injunction may, in cases of special urgency, be made to a judge out of court.

36. If an injunction be ordered upon such *ex parte* application, the party against whom the same shall be so ordered shall be at liberty to apply to the judge to fix a time for hearing an application to dissolve such injunction, and such application shall be heard on the day fixed by the judge; provided that the party so applying shall give three days' notice, in writing, of such intended application to the party who shall have obtained such order.

**DEATH OF PARTIES.**

37. In the event of the death of any party to the suit, either as plaintiff or defendant, the suit shall not abate, but a minute or suggestion of the fact shall be entered in the Register, and the judge shall make such order to meet the exigencies of the case as he shall see fit.

**COMPUTATION OF TIME.**

38. In all cases in which any particular number of days, not expressed to be clear days, is prescribed by these rules or by the practice of the court, the same shall be reckoned exclusively of the first day and inclusively of the last day, unless the last day shall fall on a Sunday or holiday, in which case the time shall be reckoned exclusively of that day also.

**DISCONTINUANCE.**

39. The plaintiff may discontinue his proceedings at any time by giving notice in writing of his intention to the defendant, and thereupon the defendant may proceed for his costs.

**EXECUTION AFTER A YEAR.**

40. No execution shall be issued after the expiration of one year from the day of trial, or the time, if any, limited for payment of the sum recovered, except upon a judge's summons to shew cause.

**JUDGE'S SUMMONS.**

41. Any party to a suit may be summoned before the judge of the court to shew cause why the application contained or set out in the summons should not be granted.

42. No summons shall be issued by the clerk of the court to either party, unless an affidavit setting out the grounds of the application shall be filed, and such affidavit must remain as a record in the court.

43. Copies of affidavits intended to be used on the hearing of any judge's summons must be served on the opposite party before being used, and an order made upon affidavits shall be considered a nullity unless the affidavits used by the party obtaining the order be filed.

**AFFIDAVITS.**

44. Every affidavit intended to be used in court or before a judge, shall be entitled in the cause, and bear the number of the plaint (if any), and shall before the same is so used be sealed or stamped by the clerk with the seal of such court.

45. Every affidavit used in court shall be delivered to and filed by the clerk, and every affidavit used before the judge out of court shall be delivered to and retained by the judge till the next court day, when it shall be deposited with and filed by the clerk.

46. The addition and true place of abode of every person making an affidavit shall be inserted therein, and in every affidavit made by two or more deponents, the names of the several persons making such affidavit shall be written in the jurat, and no affidavit shall be read or made use of in court or before the judge in the jurat of which there is any interlineation or erasure.

47. When any affidavit is sworn by any person who from his or her signature appears to be illiterate, the person taking such affidavit shall certify or state in the jurat that the affidavit was read in his presence to the party making the same, and that such party seemed perfectly to understand the same, and also that the said party wrote his or her mark or signature in the presence of the person taking such affidavit.

**COSTS, FEES AND EXPENSES.**

48. The fees to be paid to barristers and attorneys practising in the courts of mines, and the expenses to be paid to witnesses in the said courts shall be those set forth in the first schedule hereunto annexed.

49. In calculating the said fees, the amount or value of the demand shall, where the defendant succeeds, regulate the amount, and where the plaintiff succeeds the amount recovered shall regulate it.

50. Where the said Act or these rules require or allow any thing to be done upon payment of costs, or upon such terms whether as to payment of costs or otherwise as the judge or court shall think fit, the amount of such costs shall be ascertained and fixed by the judge in each particular case without any other taxation.

**BARRISTERS AND ATTORNEYS.**

51. No attorney shall be allowed to appear for any person in any court of mines, until he has signed a roll or book to be kept by the clerk for that purpose.

52. The judge of any such court, upon sufficient cause, shall have power to strike the name of any attorney from the said roll or book; in which case he shall be disqualified from practising in such court.

53. The judge of any such court, upon sufficient cause, shall have power to prevent any barrister or attorney from practising in such court for any period which the judge may think fit.

54. Any person who shall attempt to practise in any such court in defiance of either of the two preceding rules, shall be deemed to have wilfully interrupted the proceedings of such court, and be guilty of a contempt accordingly.

**ENGINEERS, SURVEYORS, ETC.**

55. The assistance under sect. xxxiii. of any surveyor shall not be obtained by any court of mines or judge thereof unless such surveyor shall have been licensed by the Chief Secretary; and a list of such licensed surveyors shall be affixed by the clerk of the court in some conspicuous part of his office.

56. The costs and expenses to be allowed engineers, surveyors, accountants or other scientific persons whose assistance shall be obtained by the judge shall be fixed by him, and shall be paid by such party or parties to the suit, and in such manner and proportions, as he shall direct.

**WARDEN'S CERTIFICATE.**

57. Before any certificate of a warden shall be filed in any court of mines, with a view to its enforcement, an affidavit that the amount mentioned in such certificate has not been paid, shall be delivered to the clerk of the court.

**CLERK'S DUTY.**

58. The clerk of every court held under this Act shall have the custody of the seal, and in addition to the Ledger, Register, and Journal required by 21 Victoria No. 32, shall keep a Cost-book, wherein he shall inscribe the number and name of each cause, issue or appeal as it is heard, and the amount allowed to each witness, or referee if any, together with the name of such witness or referee, and also the amount of costs allowed to the party, and the said clerk shall ascertain the total amount of such expenses and costs and enter the same in such book.

**FILE OF PAPERS.**

59. All summonses on plaints, and all warrants returned to the court, together with all other summonses, affidavits, papers, documents, or process relating to any plaint, shall be filed by the clerk under and in accordance with the number of such plaint.

**BAILLIFF'S DUTY.**

60. Whenever the bailiff shall not attend any sitting of the court the cause of his absence shall be entered on the minutes of the next succeeding court.

61. The bailiff shall attend for the purpose of receiving summonses, or for the performance of other duties, at the office of the clerk, once every day, unless the judge shall otherwise order.

62. The bailiff shall enter in a book to be kept by him for that purpose the particulars of all orders for the payment of money or costs, or both, which he shall have received, and of the mode in which he shall have served the same; and once in every calendar month, at least, he shall lay the same before the judge, who shall sign the same and attest its having been duly laid before him.

63. Once in every calendar month, or oftener if the judge shall so order, the bailiff shall deliver a return to the clerk of the court of what shall have been done since the last return under every process of execution or commitment which he has been required to execute, and at the court held next after the delivery of every such return, the clerk shall lay the same before the judge, who shall sign the same and attest its having been duly laid before him.

64. Every bailiff levying or receiving any money by virtue of any process, shall, within twenty-four hours from the receipt thereof, pay over the same to the clerk of such court, and shall deliver such process to the clerk, who shall file the same.

**FORMS.**

65. The several forms set forth in the last schedule hereunto annexed may be used and shall be sufficient in all cases to which the same are applicable.

66. In any case for which a form is not provided by the said Act or by these rules, any form which is so provided may *mutatis mutandis* be adapted to and shall be sufficient for such case.



from the said a certain sum of money:  
 And whereas the said hath this day,  
 by the decree of the said court, recovered against the said  
 the sum of : And  
 whereas upon the hearing of this suit the said  
 was examined by the said court touching his  
 estate and effects, and as to the property and means he had of  
 paying the said sum, and as to the disposal he had made of his  
 property, and the mode in which he incurred the liability :  
 Now therefore the said court doth order that unless the said  
 shall pay into the said court at  
 aforesaid, within after the making of this order,  
 the said sum, he shall be committed to prison.  
 Given under my hand and the seal of the said court,  
 this day of  
 Judge of this Court.

**CERTIFICATE FOR DISCHARGE.**  
 Plaintiff No.

To the Keeper of the Gaol at  
 Whereas by virtue of a warrant issued out of the Court of  
 Mines of the mining district of at  
 and dated the day of  
 was committed to the said gaol, to be therein kept by  
 you according to the exigency of the said warrant :  
 This is therefore to certify that the said  
 has paid the moneys mentioned in the said warrant and all sub-  
 sequent costs, and is now entitled to be discharged out of  
 custody.  
 Given under my hand and the seal of the said court,  
 this day of  
 Clerk of the said Court.

**SUMMONS FOR NOT PERFORMING DECREE.**  
 Plaintiff No.

In the Court of Mines of the mining district of  
 To A. B. of  
 Whereas the said court, held at did on  
 the day of make a certain  
 decree against you and the said decree is  
 not wholly performed, inasmuch as that  
 These are therefore to require you to appear personally before  
 the said court at aforesaid, on the day  
 of at o'clock in the noon, to  
 shew cause why you should not be committed to prison for  
 disobedience to such decree.  
 Given under my hand and the seal of the said court,  
 this day of  
 (L.S.) O. P. Clerk of the said Court.

**ORDER TO BRING PRISONER FROM GAOL.**  
 Plaintiff No.

To the Keeper of the Gaol at  
 I do hereby order that you bring before me at  
 A. B., who is now in your custody under a warrant issued out of  
 the Court of Mines of the mining district of at  
 and dated the day of, in order  
 that he may be dealt with according to law.  
 Given under my hand the day of  
 Judge of the said Court.

**ORDER FOR DISCHARGE ON PERFORMANCE, ETC.**  
 Plaintiff No.

To the Keeper of the Gaol at  
 Whereas by virtue of a warrant issued out of the Court of  
 Mines of the mining district of at  
 and dated the day of  
 was committed to the said gaol to be kept therein by you  
 according to the exigency of the said warrant :  
 Now therefore I, being satisfied that do order  
 that the said shall be forthwith discharged from  
 custody under the said warrant.  
 Given under my hand this day of  
 Judge of the said Court.

**ORDER FOR DISCHARGE.**  
 Plaintiff No.

To the Keeper of the Gaol at  
 Whereas by virtue of a warrant issued out of the Court of  
 Mines of the mining district of at  
 and dated the day of

was committed to the said gaol to be kept therein by you  
 according to the exigency of the said warrant :  
 Now therefore, under the special circumstances of this parti-  
 cular case, I do direct that the said  
 shall be forthwith discharged from custody under the said war-  
 rant.

Given under my hand and the seal of the said court,  
 this day of  
 Judge of the said Court.

**INTERPLEADER SUMMONS.**

In the Court of Mines of the mining district of  
 Plaintiff No.

To A.B., of &c., and C.D., of &c.

Whereas at the instance of you the said A.B., certain goods  
 and chattels have been taken in execution under the process  
 of this court held at and a claim has been  
 made in respect of such goods and chattels [or the proceeds,  
 or value thereof] by you the said C.D. : This is therefore to  
 require you to attend before the judge of the said court at  
 at of the clock in the noon,  
 in order that the said judge may adjudicate upon such claim,  
 and make such order in respect thereof and of the costs incidental  
 thereto as to him shall seem fit.

Given under my hand and the seal of the said court,  
 this day of  
 Clerk of the said Court.

**CLERK'S COST BOOK.**

Plaint No. [14.] [Jones] v. [Brown.]

Witnesses.	Expense.	Called by.	Amount sued for if Defendant succeeds.	Amount recovered if Plaintiff succeeds.	Cost of serving Summons on Plaintiff.
Brown	0 5 0	Plt.			

**BAILIFF'S RETURN.**

Court of Mines of the Mining District of  
 Date of last Return the day of 185 .

No. of each plaint in which process issued or order by bailiff.	Date of process or order.	How served or executed, stat- ing name of officer employed.	Amount levied.			When paid to clerk.	Amount of bailiff's fes.		
			£	s.	d.		£	s.	d.

Dated the day of 185 . A.B. Bailiff.

COURT LEDGER.

	No. of Plaintiff.
	Amount claimed.
	Plaint Summons.
	Summons for Witnesses.
	Other Summons.
	Assessors.
	Notice of Payment into Court.
	Re-hearing.
	Adjournment of Hearing.
	Common Warrant of Execution.
	Warrant for Month's Imprisonment.
	Fraud Summons.
	Summons for disobeying Decree.
	Special Commitment.
	Commitment for Disobedience.
	Order for Special Commitment.
	Certificate for Discharge.
	Order for Discharge.
	Other Orders.
	Bond or Security.
	Search.
	Affidavit.
	Taxation.
	Executing Warrant, not exceeding five miles.
	Executing Warrant, exceeding five miles.
	For Man left in possession.
	Arrest not exceeding one mile from Court House.
	Arrest not exceeding seven miles.
	Arrest exceeding seven miles.
	For conveying Prisoners to Gaol.
	For summoning Assessors.
	Serving Order or Summons, &c., within two miles of Court House.
	Serving Order, &c., beyond two miles.
	Receiving money on arrest and paying into Court.
	Amount paid into Court.
	Fines received.
	Any other Monies received.
	TOTAL AMOUNT.
	Amounts paid to Receiver of Revenue.
	Time of such Payment.
	Authority to obtain Money out of Court to party.
	Authority to Bailiff to receive Fees.

COURT OF MINES

BAILIFF'S FEES.

LEDGER.

COURT JOURNAL.

Date	Sitting.	Hour of Court.
	Rising.	
185	Name of Deputy Judge, if any.	
	Any Special Minutes directed to be made by Judge.	
COURT OF MINES	Valuation Orders and name of Claimant.	
	No. of each Plaintiff entered this day.	
JOURNAL.	No. of Plaintiff in which any Summons issues.	
	No. of Plaintiff in which Injunction ordered or refused.	
JOURNAL.	No. of Plaintiff in which day fixed to hear application to dissolve Injunction.	
	No. of Plaintiff in which Money paid into Court.	
JOURNAL.	No. of Plaintiff in which Notice of Payment into Court given.	
	No. of Plaintiff in which trial of Issues by Assessors required by Judge, and result.	
JOURNAL.	No. of Plaintiff in which issue directed on application of party, and result.	
	No. of Plaintiff in which Cause struck out.	
JOURNAL.	No. of Plaintiff in which Cause heard or referred.	
	No. of Plaintiff in which Notice for New Trial given.	
JOURNAL.	No. of Plaintiff in which Notice of Re-hearing given.	
	No. of Plaintiff in which Hearing adjourned, and the reason.	
JOURNAL.	Adjournment Day.	
	No. of Plaintiff in which suggestion of Death entered.	
JOURNAL.	No. of Plaintiff in which Notice of Discontinuance given.	
	No. of Plaintiff in which Execution issued.	
JOURNAL.	No. of Plaintiff in which Commitment issued.	
	No. of Plaintiff in which Order for Discharge made.	
JOURNAL.	No. of Plaintiff in which Certificate for Discharge.	
	No. of Plaintiff in which Affidavits filed.	
JOURNAL.	To whom Process delivered for Service or Execution.	
	No. of Plaintiff in which Bailiff returns Process.	
JOURNAL.	Any Order, Motion, Application, Step, or Proceeding, not indicated in any preceding column.	

Given under our hands the twelfth day of January, One thousand eight hundred and fifty-eight.

THO. HOWARD FELLOWS,  
 J. G. FORBES,  
 JAS. LANGTON CLARKE,  
 M. F. MACBOY,  
 J. W. ROGERS.

Crown Law Offices,  
Melbourne, 7th January, 1858.

#### COUNTY COURTS.

IT is hereby notified, for general information, that the Judges of the County Courts respectively hereinafter mentioned have appointed the times for holding such Courts to be as follows, that is to say:—

Alberton ... ..	14th March.
Ballaarat ... ..	17th March.
Beechworth ... ..	20th February.
Belfast ... ..	17th February.
Carisbrook ... ..	29th January.
Castlemaine ... ..	21st January.
Geelong ... ..	23rd March.
Hamilton ... ..	20th May.
Kilmore ... ..	14th January.
Kyneton ... ..	18th January.
Melbourne ... ..	5th February.
Portland ... ..	12th February.
Sandhurst ... ..	5th February.
Warrnambool ... ..	20th February.

THO. HOWARD FELLOWS.

Crown Law Offices,  
Melbourne, 31st December, 1857.

#### TERRITORIAL MAGISTRATES.

HIS Excellency the Governor, with the advice of the Executive Council, has been pleased to appoint the undermentioned gentlemen to be Magistrates of Victoria, viz:—

Robert William Shadforth  
Stephen Thomas Clissold  
Frederick Call  
Charles Bruce Græme Skinner  
Michael Francis Macoboy  
John Warrington Rogers  
Thomas Spencer Cope  
James Langton Clarke, Esquires.

By His Excellency's Command,  
ARCHIBALD MICHIE.

Chief Secretary's Office,  
Melbourne, 4th January, 1858.

#### RETURNING OFFICERS FOR THE MINING DISTRICTS.

HIS Excellency the Governor, with the advice of the Executive Council, has been pleased to appoint the undermentioned gentlemen to be Returning Officers for the several mining districts erected under the authority of the Act of Parliament 21 Victoria No. 32, viz:—

Names of Returning Officers.	Names of Mining Districts.
Charles Wale Sherard ... ..	Ballaarat.
John Edward Newell Bull ... ..	Castlemaine.
William Templeton ... ..	Maryborough.
James Grant Taylor ... ..	Ararat.
Joseph Anderson Panton ... ..	Sandhurst.
Matthew Price ... ..	Beechworth.

By His Excellency's Command,  
WILLIAM C. HAINES.

Crown Law Offices,  
Melbourne, 7th January, 1858.

#### JUDGES OF COUNTY COURTS.

HIS Excellency the Governor, with the advice of the Executive Council, has been pleased to appoint the undermentioned gentlemen to be Judges of the several County Courts holden at the several places hereinafter named, viz:—

Robert Williams Pohlman, Esquire, at Melbourne.  
Arthur Nicholas Wrixon, Esquire, at Alberton, Belfast, Geelong, Portland, Warrnambool, Colac, and Sale.  
John George Forbes, Esquire, at Castlemaine, Kyneton, and Hepburn.  
Charles Bruce Græme Skinner, Esquire, at Sandhurst, Heathcote, and Kilmore.  
Michael Francis Macoboy, Esquire, at Carisbrook, Dunolly, Maryborough, and Avoca.  
John Warrington Rogers, Esquire, at Ballaarat and Creswick.  
Thomas Spencer Cope, Esquire, at Beechworth, Benalla, and Buckland.  
James Langton Clarke, Esquire, at Ararat, Raglan, Hamilton, and Pleasant Creek.

By His Excellency's Command,  
THO. HOWARD FELLOWS.

Crown Law Offices,  
Melbourne, 7th January, 1858.

#### CHAIRMEN OF GENERAL SESSIONS.

HIS Excellency the Governor, with the advice of the Executive Council, has been pleased to appoint the undermentioned gentlemen to be Chairmen of General Sessions holden at the places hereinafter named, viz:—

Arthur Nicholas Wrixon, Esquire, at Alberton, Belfast, Geelong, Portland, and Warrnambool.

John George Forbes, Esquire, at Castlemaine and Kyneton.

Charles Bruce Græme Skinner, Esquire, at Sandhurst and Kilmore.

Michael Francis Macoboy, Esquire, at Carisbrook.

John Warrington Rogers, Esquire, at Ballaarat.

Thomas Spencer Cope, Esquire, at Beechworth.

James Langton Clarke, Esquire, at Hamilton.

By His Excellency's Command,  
THO. HOWARD FELLOWS.

Crown Law Offices,  
Melbourne, 7th January, 1858.

#### JUDGES OF COURTS OF MINES.

HIS Excellency the Governor, with the advice of the Executive Council, has been pleased to appoint the undermentioned gentlemen to be Judges of the Courts of Mines within and for the several mining districts hereinafter mentioned, viz:—

John George Forbes, Esquire, for the mining district of Castlemaine.

Charles Bruce Græme Skinner, Esquire, for the mining district of Sandhurst.

Michael Francis Macoboy, Esquire, for the mining district of Maryborough.

John Warrington Rogers, Esquire, for the mining district of Ballaarat.

Thomas Spencer Cope, Esquire, for the mining district of Beechworth.

James Langton Clarke, Esquire, for the mining district of Ararat.

By His Excellency's Command,  
THO. HOWARD FELLOWS.

Crown Law Offices,  
Melbourne, 7th January, 1858.

#### CROWN PROSECUTORS.

HIS Excellency the Governor, with the advice of the Executive Council, has been pleased to appoint the undermentioned gentlemen to be Crown Prosecutors at the Courts of General Sessions holden at the several places hereinafter named:—

Baptist Wriothlesley Noel, Esquire, at Kyneton, Castlemaine, Sandhurst, Kilmore, and Beechworth.

John Foster McCreight, Esquire, at Ballaarat, Carisbrook, and Hamilton.

John Atkins, Esquire, at Geelong, Warrnambool, Belfast, Portland, and Alberton.

By His Excellency's Command,  
THO. HOWARD FELLOWS.

Crown Law Offices,  
Melbourne, 7th January, 1858.

#### POLICE MAGISTRATES.

HIS Excellency the Governor, with the advice of the Executive Council, has been pleased to appoint the undermentioned gentlemen to be Police Magistrates of Victoria, and to act at the several places hereinafter named, viz:—

Stephen Thomas Clissold, Esquire, at Ballaarat.

Robert William Shadforth, Esquire, at Wangaratta.

William Crawford, Esquire, at Williamstown and Sandridge.

Charles Edward Strutt, Esquire, at Echuca.

Crawford Aitchison Denham Pasco, Esquire, at Swan Hill and Kerang on the Loddon.

Frederick Call, Esquire, at Maryborough, Alma, and Carisbrook.

By His Excellency's Command,  
THO. HOWARD FELLOWS.

Crown Law Offices,  
Melbourne, 7th January, 1858.

COMMISSIONER OF INSOLVENT ESTATES, GEELONG  
CIRCUIT DISTRICT.

HIS Excellency the Governor, with the advice of the Executive Council, has been pleased to appoint Arthur Nicholas Wrixon, Esquire, to be Commissioner of Insolvent Estates in and for the Geelong Circuit District.

By His Excellency's Command,  
THO. HOWARD FELLOWS.

Crown Law Offices,  
Melbourne, 7th January, 1858.

CURATOR OF INTESTATE ESTATES, ETC.

HIS Excellency the Governor, with the advice of the Executive Council, has been pleased to appoint George Shovelbottom, Esquire, to be Curator of Intestate Estates and Collector of Imposts at Melbourne for the whole colony.

By His Excellency's Command,  
THO. HOWARD FELLOWS.

Crown Law Offices,  
Melbourne, 7th January, 1858.

CLERKS OF COUNTY COURTS.

HIS Excellency the Governor, with the advice of the Executive Council, has been pleased to appoint the undermentioned gentlemen to be Clerks in the several County Courts holden at the places prefixed to their respective names, viz. :-

Alberton	... Mr. William Hogarth.
Ararat	... Mr. Edward Barry (to be Acting Clerk).
Avoca	... Mr. F. R. Lempriere.
Ballaarat	... Mr. Francis Greene.
Beechworth	... Mr. J. W. Walden (to be First Clerk).
Beechworth	... Mr. J. A. G. Forbes (to be Second Clerk).
Belfast	... Mr. W. E. Wheeler.
Benalla	... Mr. F. G. Hinsby.
Buckland	... Mr. Edward Kelsall.
Carisbrook	... Mr. W. F. Roe.
Castlemaine	... Mr. A. J. Landon.
Colac	... Mr. George Dunderdale.
Creswick	... Mr. G. Hutchinson.
Dunolly	... Mr. W. Cathrey.
Geelong	... Mr. James Stephen.
Hamilton	... Mr. Richard Garton.
Heathcote	... Mr. W. N. Crawford.
Hepburn	... Mr. James Coffin.
Kilmore	... Mr. Samuel Lapham.
Kyneton	... Mr. Henry Weigall.
Maryborough	... Mr. R. A. Montgomery.
Melbourne	... Mr. Edward Cotton (to be First Clerk).
Melbourne	... Mr. Thomas Ingram (to be Second Clerk).
Pleasant Creek	... Mr. J. McClure.
Portland	... Mr. Andrew Castle.
Raglan	... Mr. C. W. Minchin.
Sale	... Mr. J. Lightfoot.
Sandhurst	... Mr. H. C. Peters.
Warrnambool	... Mr. J. M. Ardlie.

By His Excellency's Command,  
THO. HOWARD FELLOWS.

Crown Law Offices,  
Melbourne, 7th January, 1858.

CLERKS OF PETTY SESSIONS.

HIS Excellency the Governor, with the advice of the Executive Council, has been pleased to appoint the undermentioned gentlemen to be Clerks of Petty Sessions at the several places specified in conjunction with their respective names, viz. :-

Mr. George Morton, at Heidelberg, to act also at Caledonia, Anderson's Creek, and Yan Yean.  
Mr. R. A. Montgomery, at Maryborough, to act also at Alma.  
Mr. Edward Kelsall, at Buckland.  
Mr. R. C. Morgan, at Wedderburne.  
Mr. J. McClure, at Pleasant Creek.  
Mr. T. Summerville, at Keilor and Donnybrook.  
Mr. J. M. Woods, at Yaekandandah.  
Mr. Charles Cruickshank, at Epsom.  
Mr. G. C. Maitland, at Echuca.  
Mr. Henry Ford, at Korong.  
Mr. Richard Jones, at Avenel.

By His Excellency's Command,  
THO. HOWARD FELLOWS.

Crown Law Offices,  
Melbourne, 7th January, 1858.

CLERKS OF COURTS OF MINES.

HIS Excellency the Governor, with the advice of the Executive Council, has been pleased to appoint the undermentioned gentlemen to be Clerks of the Courts of Mines holden at the several places prefixed to their respective names, viz. :-

Amherst	... Mr. F. R. Lempriere.
Ararat	... Mr. Edward Barry.
Avoca	... Mr. F. R. Lempriere.
Ballaarat	... Mr. F. Greene.
Beechworth	... Mr. J. W. Walden.
Blackwood	... Mr. J. S. August.
Buckland	... Mr. Edward Kelsall.
Buninyong	... Mr. J. S. Farrer.
Carisbrook	... Mr. W. F. Roe.
Castlemaine	... Mr. A. J. Landon.
Creswick	... Mr. G. Hutchinson.
Dunolly	... Mr. W. Cathrey.
Fryerstown	... Mr. B. Rigbye.
Heathcote	... Mr. W. N. Crawford.
Hepburn	... Mr. T. Coffin.
Kilmore	... Mr. Samuel Lapham.
Korong	... Mr. Henry Ford.
Maldon	... Mr. J. Nott.
Maryborough	... Mr. R. A. Montgomery.
Mount Egerton	... Mr. R. Quinan.
Pleasant Creek	... Mr. J. McClure.
Raglan	... Mr. C. W. Minchin.
Sandhurst	... Mr. H. C. Peters.
Smythe's Creek	... Mr. F. E. Perrot.
St. Andrew's	... Mr. George Morton.
Steiglitz	... Mr. Richard Quinan.
Taradale	... Mr. B. Rigbye.
Waranga	... Mr. James Allison.
Yaekandandah	... Mr. J. N. Woods.

By His Excellency's Command,  
THO. HOWARD FELLOWS.

Crown Law Offices,  
Melbourne, 7th January, 1858.

BAILIFFS OF COUNTY COURTS.

HIS Excellency the Governor, with the advice of the Executive Council, has been pleased to appoint the undermentioned persons to be Bailiffs of County Courts holden at the several places specified in connection with their respective names, viz. :-

Ararat	... G. C. Fricker.
Ballaarat	... William Tweedie.
Beechworth	... E. G. Nethercott.
Belfast	... Geo. Castwood.
Carisbrook	... Thos. Furness.
Castlemaine	... J. T. Pownall.
Geelong	... William Harper.
Kilmore	... Donald McInnes.
Kyneton	... James Dixon.
Melbourne	... John McCarthy and Robert Smith.
Portland	... De Courcy Rose.
Sandhurst	... C. A. Campbell.

By His Excellency's Command,  
THO. HOWARD FELLOWS.

Crown Law Offices,  
Melbourne, 7th January, 1858.

BAILIFFS OF COURTS OF MINES.

HIS Excellency the Governor, with the advice of the Executive Council, has been pleased to appoint the undermentioned persons to be Bailiffs of the Courts of Mines at the several places mentioned in conjunction with their respective names, viz. :-

Ararat	... G. C. Fricker.
Ballaarat	... William Tweedie.
Beechworth	... E. G. Nethercott.
Carisbrook	... Thos. Furness.
Castlemaine	... J. T. Pownall.
Kilmore	... Donald McInnes.
Sandhurst	... C. A. Campbell.

By His Excellency's Command,  
THO. HOWARD FELLOWS.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that proper record-keeping is essential for ensuring transparency and accountability in financial reporting. This section also highlights the role of internal controls in preventing errors and fraud, and the need for regular audits to verify the accuracy of the data.

2. The second part of the document focuses on the importance of clear communication and collaboration between all stakeholders involved in the financial process. It stresses that effective communication is key to ensuring that everyone is on the same page and that all necessary information is shared in a timely and accurate manner. This section also discusses the importance of maintaining a clear line of communication and the need for regular updates and reports.

3. The third part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that proper record-keeping is essential for ensuring transparency and accountability in financial reporting. This section also highlights the role of internal controls in preventing errors and fraud, and the need for regular audits to verify the accuracy of the data.

4. The fourth part of the document focuses on the importance of clear communication and collaboration between all stakeholders involved in the financial process. It stresses that effective communication is key to ensuring that everyone is on the same page and that all necessary information is shared in a timely and accurate manner. This section also discusses the importance of maintaining a clear line of communication and the need for regular updates and reports.

5. The fifth part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that proper record-keeping is essential for ensuring transparency and accountability in financial reporting. This section also highlights the role of internal controls in preventing errors and fraud, and the need for regular audits to verify the accuracy of the data.

6. The sixth part of the document focuses on the importance of clear communication and collaboration between all stakeholders involved in the financial process. It stresses that effective communication is key to ensuring that everyone is on the same page and that all necessary information is shared in a timely and accurate manner. This section also discusses the importance of maintaining a clear line of communication and the need for regular updates and reports.

7. The seventh part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that proper record-keeping is essential for ensuring transparency and accountability in financial reporting. This section also highlights the role of internal controls in preventing errors and fraud, and the need for regular audits to verify the accuracy of the data.

8. The eighth part of the document focuses on the importance of clear communication and collaboration between all stakeholders involved in the financial process. It stresses that effective communication is key to ensuring that everyone is on the same page and that all necessary information is shared in a timely and accurate manner. This section also discusses the importance of maintaining a clear line of communication and the need for regular updates and reports.

9. The ninth part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that proper record-keeping is essential for ensuring transparency and accountability in financial reporting. This section also highlights the role of internal controls in preventing errors and fraud, and the need for regular audits to verify the accuracy of the data.

10. The tenth part of the document focuses on the importance of clear communication and collaboration between all stakeholders involved in the financial process. It stresses that effective communication is key to ensuring that everyone is on the same page and that all necessary information is shared in a timely and accurate manner. This section also discusses the importance of maintaining a clear line of communication and the need for regular updates and reports.



# VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

No. 7.]

FRIDAY, JANUARY 15.

[1858.

Chief Secretary's Office,  
Melbourne, 12th January, 1858.

## FUND FOR THE RELIEF OF THE SUFFERERS BY THE MUTINY IN INDIA.

HIS Excellency the Governor has directed the subjoined letter, with its enclosures, addressed to His Excellency by the Lord Mayor of London, to be published.

By His Excellency's Command,  
WILLIAM C. HAINES.

Mansion House, October, 1857.

Sir,—The disastrous events which have occurred in our Indian territory will already have come to your knowledge. You are also probably aware that a movement has originated in London, which is being seconded with great zeal and liberality throughout this kingdom, for the relief of those, both at home and abroad who are sufferers by this mutiny, and by the sanguinary war to which it has given rise.

We cannot doubt that our fellow-subjects over whom your influence extends, as the representative of the British Government, must sympathise most deeply with the fallen and the bereaved; and that they will feel with us the binding obligation under which, as a nation, we are laid, to alleviate their afflictions and to compensate their wrongs.

Entertaining this conviction, I beg, in the name of the Central Committee in London, most earnestly to request your kind co-operation. We are convinced that you will feel it alike a duty and a pleasure to adopt immediate measures for the augmentation of the Relief Fund which we are laboring to raise, and which we are commissioned to distribute.

I beg to enclose to you some documents which we respectfully request you to circulate, and which will afford to some extent the necessary information, both as to the urgency of the case and as to the principles which will guide the Relief Committee at home in the distribution of those funds which the humanity of their fellow-countrymen may place at their disposal.

Let me beg you to originate immediate measures for obtaining congregational and general subscriptions, and to transmit the amounts contributed to the Bank of England, to the credit of the Indian Mutiny Relief Fund.

I have the honor to be, Sir,  
Your very obedient servant,  
THOMAS Q. FINNIS.

His Excellency Sir Henry Barkly,  
Captain General and Governor-in-Chief,  
Victoria.

[Enclosures.]

### ADDRESS TO THE BRITISH PUBLIC FROM THE INDIAN RELIEF COMMITTEE.

The committee for relieving the suffering caused by the Indian mutinies, while acknowledging gratefully the munificent donations already contributed, yet feel it their duty to call attention to the circumstances which necessitate a further appeal to the public.

Throughout the length and breadth of the Bengal Presidency, large numbers, amounting probably to some thousands of civil servants, covenanted and uncovenanted, military officers, chaplains, missionaries, indigo planters, private traders, clerks, civil engineers, persons employed in the department of public works, and others, have lost their moveable property; and, in the present disturbed state of the country, will have difficulty in raising funds. Without some kind of pecuniary aid, therefore, they will be unable to reinstate themselves in their previous mode of life.

The families of persons who have been killed or despoiled of their property, or who, from their being employed in disturbed

districts, are unable to make remittances, are to a great extent without present means of support, whether they are residing in India or in this country; and many children who have been sent to England for education, would have to be removed from school if some assistance were not given.

Considering the greatly increased number of European troops now to be employed in India, numbering probably nearly 100,000 men, and the casualties which are likely to take place among them from war and climate, the pecuniary aid which will be required for their families is certain to amount to a very large sum. This observation applies both to Her Majesty's and to the Honorable East India Company's European troops.

Many other classes of persons might be mentioned who will stand in need of assistance, including those natives of India, civil and military, or their widows or orphans, whose destitution may be distinctly traceable to fidelity and devotion to the cause of the British; but enough has been said to show that, independently of any assistance which may possibly be required in the Bombay and Madras Presidencies, subscriptions are still called for on a scale equal to the greatest efforts of this kind which have been made of late years. In the majority of cases temporary aid will be sufficient; but some claims upon the National bounty will necessarily extend over a considerable period. No sums will be given absolutely where a loan would be sufficient.

The principles according to which the relief will be administered, in concert with the Calcutta and other Committees, are contained in the following resolutions, which were passed at a meeting held at the Mansion House on the 26th September, 1857.

Mansion House,  
30th September, 1857.

At a meeting of the committee held on the 26th of September, 1857, the following resolutions were unanimously adopted:—

1. The object of this committee is to relieve, as far as may be practicable and necessary, the distress caused by the mutinies in India.

2. In so doing, care should be taken not to supersede the assistance which ought to be given by the Government, by the established Widows and Orphans' Funds, or by the relations of the sufferers; but to supplement it to the extent to which it falls short of a just measure of relief.

3. Compensation for losses as such, will in no case be given.

4. Subject to the preceding conditions, the efforts of the committee will be specially directed:—

*First.* To enable the sufferers to live with frugality in their respective states of life until other means of subsistence are available.

*Second.* To provide for the maintenance and education of children in cases in which it has been interrupted or prevented by casualties arising out of the mutiny, and in which it cannot be provided for from other sources.

*Third.* To assist the sufferers to come to this country or to go to India, when the circumstances render it proper that they should do so, and the means of paying for their passage cannot be obtained from any other source.

*Fourth.* To afford reasonable aid, by loan or otherwise, to officers and others who have lost their equipments, furniture or other property, by the necessity of sudden flight from their stations or the destruction of their dwellings, when, without such aid, they would be involved in pecuniary embarrassments.

5. That relief according to these principles be given, without distinction of religion or nationality, to every person of whatever rank who has a just claim upon the sympathy and assistance of the British people.